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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF WASHINGTON.

SIXTH SESSION OF THE LEGISLATIVE ASSEMBLY,

BEGUN AND HELD

AT OLYMPIA, THE SEAT OF GOVERNMENT, UPON THE
FIRST MONDAY OF DECEMBER, TO-WIT:

THE SIXTH DAY OF DECEMBER,

ANNO DOMINI, 1858.



OLYMPIA:

EDWARD FURSTE, PUBLIC PRINTER.

1859.

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES.

MONDAY, DECEMBER 6, 1858.

This being the day prescribed by law for the meeting of the Legislative Assembly of the Territory of Washington, the members elect to the House of Representatives convened at Olympia, in the Hall of Representatives, and was called to order by Mr. Rufus Willard, the Assistant Clerk of the last session.

On motion of Mr. Caples,

The House was temporarily organized by the appointment of Mr. Henness, Speaker, *pro tem*.

On motion of Mr. Rutledge,

L. D. Durgin was appointed Chief Clerk, *pro tem*.

On motion of Mr. Chapman,

Rufus Willard was appointed Assistant Clerk, *pro tem*.

On motion of Mr. Longmire,

Mr. Shelton was appointed Sergeant-at-Arms, *pro tem*.

On motion of Mr. Rutledge,
Mr. Harper was appointed Door Keeper, *pro tem*.

On motion of Mr. Chapman,

That the Chair appoint a committee of *three* to examine the credentials of the members, and report at 10 o'clock, A. M., to-morrow.

Whereupon, the Chair appointed Messrs. Chapman, of Pierce, Catlin, of Cowlitz, and Caples, of Clarke, said committee.

On motion of Mr. Sylvester,
House adjourned until 10 o'clock, A. M., to-morrow

TUESDAY, DECEMBER 7, 1858.

House met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Chapman, chairman of Committee of Credentials, made the following report, to wit :

The committee appointed to examine the credentials of members elect to the present House of Representatives, have performed that duty, and find the following persons duly elected and entitled to seats :

From the county of Clarke—J. D. Biles, J. F. Smith, C. C. Stiles, J. H. Goddard, and H. L. Caples.

From the county of Thurston—Edmund Sylvester, B. L. Henness, Wm. Rutledge, sr., J. M. Hawk, James Longmire, and Oliver Shead.

From the county of Pacific—John Briscoe.

From the county of King—C. C. Lewis.

From the county of Whatcom—John A. Tennant.

From the county of Jefferson—E. S. Dyer.

From the county of Island—S. D. Howe.

From the county of Chehalis—Chas. M. Carter.

From the county of Sawamish—F. C. Purdy.

From the counties of Cowlitz and Wahkiakum—John Catlin and Charles McCall.

From the county of Lewis—Holden A. Judson and Joseph P. Manning.

From the county of Kitsap—Travers Daniel and W. F. Weed.

From the county of Pierce—Warren Gove, W. N. Savage, and John M. Chapman.

On motion of Mr. Howe,

The report was adopted.

By order of the Chair,

The Sergeant-at-Arms was instructed to wait upon Secretary Mason, and request him to administer the oath of office to members present.

Sergeant-at-Arms reported Secretary Mason present; who then proceeded to administer the oath of office to members present, according to law.

On motion of Mr. Caples,

House proceeded to the election of Speaker, *viva voce*.

Upon the vote being taken, E. S. Dyer received 25 votes; scattering 1.

Mr. Dyer having received a majority of all the votes cast was declared duly elected Speaker.

Message from the Council by their Council:

MR. SPEAKER :—I am instructed by the Council to inform the House that the Council have permanently organized by the election of the following officers, to wit :

Hon. Crumline La Du, President.
B. F. Yantis, Chief Clerk.
A. J. Moses, Assistant Clerk.
W. M. Morrow, Sergeant-at-Arms.
Wm. Horton, Door Keeper.

On motion of Mr. Biles,

Messrs. Biles and Howe were appointed a committee to conduct the Speaker to the chair.

On taking the chair, the Speaker returned thanks to the members for the honor conferred on him, &c.

On motion of Mr. Chapman,

The House proceeded to the election of Chief Clerk, *viva voce*.

The vote being taken, L. D. Durgin having received all the votes cast was declared duly elected Chief Clerk.

On motion of Mr. Henness,

The House proceeded to the election of Assistant Clerk, *viva voce*.

The vote being taken, Lyman Shaffer having received all the votes cast was declared duly elected Assistant Clerk.

On motion of Mr. Sylvester,

The House proceeded to the election of Sergeant-at-Arms, *viva voce*.

The vote being taken, J. L. Mitchel having received all the votes cast was declared duly elected Sergeant-at-Arms.

On motion of Mr. Shead,

The House proceeded to the election of Door Keeper, *viva voce*.

The vote being taken, Levi Shelton having received all the votes cast was declared duly elected Door Keeper.

Secretary Mason administered the oath of office to each officer elected, as prescribed by law.

Mr. Caples offered the following resolution :

Resolved by the House, the Council concurring, That a committee be appointed, consisting of three on the part of the House and two on the part of the Council, to wait upon the Governor, and inform him that the Legislature is now organized and ready to receive any communication he may see fit to make.

The Speaker appointed Messrs. Caples, Henness and Howe said committee on the part of the House.

On motion of Mr. Howe,

The Clerk was instructed to report to the Council the resolution, together with the committee appointed by the Speaker on the part of the House.

On motion of Mr. Biles,

The Rules and Orders of the session of 1857-'58 were temporarily adopted.

On motion of Mr. Caples,

The Sergeant-at-Arms was instructed to procure fifty (50) copies of the Rules and Orders for the use of the House.

On motion of Mr. Chapman,

The House adjourned until 10 o'clock, A. M., to-morrow.

WEDNESDAY, DECEMBER 8, 1858.

House met pursuant to adjournment.

The Journal of yesterday read, corrected and approved.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of Representatives, that the Council have concurred in the resolution of the House relative to waiting upon the Governor, and have appointed Messrs. Wiley and Wallace as a committee on the part of the Council.

B. F. YANTIS,
Chief Clerk.

Communication to the Speaker from B. P. Anderson, Esq.:

OLYMPIA, Dec. 7, 1858.

SIR :—As one of the commissioners appointed to revise and compile the Laws of Washington Territory, it is my duty to report the result of my labors to your honorable body.

I have devoted my spare time to the work, and have succeeded in compiling something over one-third of the Laws. A revision I have not attempted; it would require more time than I have had to devote to the labor.

The work as far as it is done will be delivered on Monday next.

Very respectfully,

Your obedient servant,

B. P. ANDERSON.

HON. E. S. DYER,

Speaker of the House of Representatives.

Mr. Copley, from the joint committee to wait upon the Governor, reported that His Excellency would, at 12 o'clock, M., attend at the House of Representatives, and in person deliver a message to the Legislative Assembly.

Mr. Howe offered the following resolution :

Resolved, That the Clerk be instructed to inform the the Council that the House was ready to receive that body, to hear in joint convention the message of the Governor.

On motion of Mr. Briscoe,

The House took a recess of thirty minutes.

On reassembling of the House, the Clerk informed the Council as per resolution.

The Council having met the House in joint convention, the Hon. Crumline La Du in the chair.

On motion of Mr. Stiles,

A committee of three were appointed to wait upon Governor Mason and escort him to the Hall of the House, to deliver his message to the Legislative Assembly.

The President appointed Messrs. Howe, Stiles and Phillips said committee.

The committee having returned, accompanied by the Governor, His Excellency delivered the following message :

GOVERNOR'S MESSAGE.

Fellow citizens of the Legislative Assembly:

In the absence of the Executive, I have the honor to respond to your call; not, however, under the same circumstances as when, three years ago, this duty devolved upon me—with an Indian war in our midst—the

country wasted and desolate—and the people gathered together in forts and block-houses—but now with a bright and cheering prospect before us.

I congratulate you, fellow citizens, on the present aspect of affairs. Our Territory, so long ignored, and even geographically known to but comparatively a few, has emerged from its unmerited obscurity, and at once sprung into importance. The brilliant reports of gold on Fraser's and Thompson's rivers have had their natural effect upon the popular mind, and thousands have flocked to the new El Dorado of the north. Ships from the cities of the Atlantic sea-board, and from various other parts of the globe, are advertised, as direct for this portion of the world, and heavy overland emigrations, in the ensuing spring, are credibly reported. In this great influx of population, it may reasonably be expected many will find a new home within our Territory.

From the exaggerated reports that were first circulated, thousands at once rushed to the new fields of fortune—ignorant of the nature of the country, its rivers, and its climate,—and, many of them, of the nature of the occupation they had entered upon. Consequent upon this undue excitement, was a reaction, and many have returned discouraged, in proportion as they had been previously elated. Gold, however, is there. From the conflicting nature of the reports, it is difficult to say in what quantities or how accessible. The best information I have been able to obtain, leads me to believe that good wages can be made,—and this is confirmed by the fact that several thousand miners have remained there, with the intention of spending the winter in that region.

In reference to the restrictions imposed upon the free navigation of Fraser's river, the introduction of merchandize into the interior, and the general rights of American citizens in that quarter, I have to state that the general government have sent out as Special Agent, the Hon. John Nugent, by whom these and all other grievances of our citizens will be investigated, and referred to the proper Department,—and we can rest assured that so important a matter will meet with the attention which it deserves, and the international intercourse be placed upon such a basis as to prevent all further annoyance.

In this connection, I will call your attention to the necessity of a new port of entry, at some point to the north, near the boundary line. Fort Langley, near the mouth of Fraser's River, has been selected as the seat of Government for British Columbia, and is to be made a port of entry. As a matter of facility and convenience to American commerce and navigation, it is expedient that there should be some point near the British possessions where vessels could effect a clearance without being necessarily

compelled to go out of their way to the present Custom House at Port Townsend. I suggest this as a subject for memorial.

In the interest that is being manifested in the mines to the north of our boundary line, the resources within our own limits should not be neglected. Mining has already been carried on successfully in the neighborhood of Fort Colville, and gold is known to exist on the Yakima and all its branches. The Indians reduced to peace and subjection, and the country thoroughly prospected, it is not hazarding too much to say, that we anticipate the development of mines which will equal in richness those of the British Possessions.

Consequent upon the gold excitement, miners began to pass through the interior section of the Territory on their way to the mines. This, as in 1855, became the occasion for Indian robberies and murders. Col. Steptoe advanced into their country, and was utterly routed. Active and vigorous measures were at once taken by Gen. Clarke, Commanding General of the United States Army for the Pacific coast, and ample forces, under the command of Col. Wright and Maj. Garnett, were sent into the field. After a series of brilliant and successful engagements, the Indians were completely routed, and reduced to submission—their property destroyed, and hostages given for their future good behavior. Peace has been established. It may, however, be doubted whether a permanent peace, such as shall, for time to come, render the life of a white man sacred, can be effected without either a winter campaign, or the movement of troops at all seasons of the year, through their country, and the establishment of permanent posts in their midst—in order that the savage foe may learn in winter, as well as in summer, the power of the military arm—and not to trust to the inclemency of the season to baffle its efforts, but be rendered subject to the authorities placed over him, and maintained in a condition in which he can do no harm.

The organization of the Department of Oregon, I conceive to be one of the most important measures that has been adopted for our welfare. The force and the Commander, being in our midst, furnish from their very presence, additional protection,—and, in case of difficulty, the blow can be struck at once, without the former delay of transporting troops and munitions of war from San Francisco. Moreover, it will furnish an incentive to the settlement of the interior—the various posts furnishing a market for the forage and subsistence that may be raised. And it is hardly necessary to state that, by the gallant and distinguished officer who has been assigned to the command of this Department, we may feel assured every step will be taken, with his usual promptness, zeal, and energy, to render the country safe, and to effect an actually permanent peace.

The project of connecting the waters of the Atlantic and Pacific by the rail is every day assuming new and additional importance. Governor Stevens, in his Message to the fourth session of the Legislative Assembly, says: "The question of a Pacific Railroad is not simply one of domestic intercommunication, and of strengthening the fraternal bonds, which unite us as a people, it is a question of a struggle for the commerce of the world. Over the rail must not only pass from Asia to Europe, and back again, costly and perishable articles, but on this route the great bulk of Asiatic supplies for the teeming region of the north-west, where the Territory of to-day is the populous state of to-morrow, where the wave of population has nearly reached the Red River of the North, and is rapidly moving westward. The Indian War over in this Territory, the reflex tide of emigration setting eastward from the Pacific, will, in a single year, pass over our interior plains from the Walla-walla to the Spokane, occupying the Yakima, and our miners will be found thence to the 49th parallel." Every day tends more strongly to confirm the necessity of this communication. The whole American people now feel deeply the want of some sure and safe, some speedy and effective means of bringing the extreme sea-board frontier of our country into that close connection, between themselves and the interior, which can only be afforded in its desired completeness by a Railroad connecting the two Oceans. Washington Territory, with its rivers, and its harbors, holds, as it were, the key to the commerce of the Pacific; and when once a direct communication is opened from the eastern side of the continent, it will receive that aid both in capital and emigration, which will bring it at once into importance, and cause its influence to be felt throughout the western ocean. This is a matter of great moment, and one which it behooves the people of the United States closely to look to. The formation of the Colony of British Columbia, the emigration thither, the establishment of naval depots, and the location of troops, the surveys of the country of the Red River and the Saskatchewan, are all significant facts—and by delay we may, in this amicable contest, find that we are left in the rear, and the golden prize has fallen into the hands of our neighbors of the North.

As, in a measure, a precursor to a Railroad, I beg leave, especially, to call your attention to the Military Road from Fort Walla-walla to Fort Benton. Passing as it does, for five hundred miles, through the Territory of Washington, it crosses many fertile valleys, and locations, offering inducements to settlement—and is the nearest, most direct, and practicable route on the northern line to the Mississippi. Looking, as we do, for a heavy emigration by this line to the gold mines during the

next year, a good road from Fort Benton to Walla-walla will materially facilitate its progress, and also tend to develop the interior of the Territory. The Engineer in charge, Lt. Mullan, entered upon the construction of this road last spring, but was compelled to suspend his operations, on account of the Indian War. His work will be resumed again as soon as the season will permit. In his opinion an additional appropriation of \$50,000 would complete the road, and I recommend the passage of a memorial to Congress asking for that amount.

Of equal importance is it, that there should be roads from Fort Colville to Walla-walla or the Dalles—and also across the Cascade Mountains to some point on Puget Sound. Fort Colville, situated as it is, in the centre of a rich and fertile valley, already the nucleus of a considerable settlement, is the general rendezvous of the Indians residing north of the 49th parallel, and is in the direct route of miners, moving from the east, the south, and by land from Puget Sound on the west—and its proximity to the boundary line, and to the mining regions of the Pen d'Oreille, the Wenatchapam, and the Yakima, all call for its being the site of a military post, and being thus more closely connected with the settled portions of the Territory.

In addition to these, I will call your attention to the necessity of military roads from Olympia via Grey's Harbor and Shoalwater Bay to Astoria—from Olympia to Fort Townsend—and from Fort Townsend to New Dungeness.

The subject of the Indian Treaties, so long contracted and still unconfirmed, is worthy of your most serious attention. Since the influx of population, occasioned by the newly discovered gold mines, several murders have been committed on Puget Sound, and though in some instances the officers of the Indian Department have succeeded in arresting the criminals, several still remain at large. The executive power of the agents is weakened, as they cannot compel the Indians to remain upon reservations which have not been guaranteed to them, and the Indians themselves are dissatisfied from not having received the remuneration promised them. Sheer justice to the Indian, and the better security of the lives and property of the citizens, demand the speedy confirmation of these Treaties.

In connection with these Treaties I will call your attention to the absolute necessity of a separate Indian Superintendent for the Territory of Washington. The extent of Territory, the number of Indians, (some twenty-five thousand,) and the amount of business to be transacted, render it imperative that this office should be created. It must be borne in mind that the faster settlements progress, and the more rapidly citizens advance upon lands over which the Indian has been accustomed to rove,

the more intricate and laborious become the duties of the officers of that Department.

The present state of affairs demands that there should be a chief to this department of the public service in this Territory. The present Superintendent has recommended it, and I suggest it to your consideration as a subject of memorial.

In reference to the Hudson Bay Company and the Puget Sound Agricultural Company, I beg leave to refer to the messages delivered to the previous Legislative Assemblies. Already have the British government taken from their control large portions of their territories, such as afford inducements to the settler and the miner; manifesting by this act, that they were an obstacle to social progress; and every reason demands the removal of this incubus from our midst, casting, as it does, a shadow over the title to some of the finest portions of our Territory. From the recent developments in their own House of Commons, their exaggerated claims have become still more vague and uncertain. The strong desire manifested by the citizens of Canada to have their pretended rights and boundaries defined, and to throw open a portion of their Territories to the advancing settlements, render it nothing more than reasonable that we, having no affinities with such monopolists, but in all our business relations diametrically opposed to them, should earnestly demand their speedy extinction within our Territory.

Our war debt, in which every citizen is interested, either in his own behalf, or as a matter of justice to his neighbor, still remains unadjusted. The money expended—the material furnished—the services rendered—all remain unliquidated. Many obstacles have been placed in its way,—malice has vented its spleen—self-sufficiency and egotism have given their deliberate opinion, and detraction has done its utmost. Yet, there stands the record, confirmed by the blood of our murdered citizens, by ruined houses and devastated farms, and by solitary block-houses dotting the country west of the Cascades. By that record, we can proudly stand. A commission was appointed to investigate these claims, consisting of two army officers and a civilian,—and by them the accounts were audited, with scarcely an alteration. The whole matter was referred to Congress, and by it to one of the most prominent members of the Military Committee, to be investigated during the recess, and we may expect a report early during the present session.

I beg leave to call your attention to the condition of the Territorial Library. From the remoteness of the Capitol building from the centre of the town, and the smallness of the salary allowed by the general government, (\$200,) it is impossible for any one to hold the office and give

to it that proper attention which it requires. As a remedy, I will suggest, for your consideration, that the law uniting the offices of Territorial Auditor and Librarian be repealed, and the County Auditor, of the county in which the capitol may be located, be *ex-officio* Librarian, giving bonds for his faithful performance of this duty, in addition to his bonds as County Auditor. His duties as Auditor, could be performed at the Library, as well as at any other place,—and he could, at the same time, keep charge of the books, for which, under these circumstances, the present salary would be an adequate remuneration.

You are aware that there is no legislative enactment authorizing the executive to offer rewards for prisoners escaping from confinement. Cases have occurred and may hereafter occur, in which to meet the strict ends of justice, it would be of advantage that a reward should be offered for the reclamation of the fugitive. In order, therefore, to render the decrees of our Courts more certain and decisive, and to prevent the ends of justice from being defeated, I would recommend the passage of a law investing the Governor of the Territory with some discretionary power in this matter.

Of the amounts appropriated by Congress for the erection of a Capitol, and a Penitentiary, none has as yet been expended. The act of the Legislative Assembly locating the Capitol, required that the title to the site for the same should be approved by the Attorney General of the United States, before any of the money should be applied to the erection of the building or the improvement of the site. The title deeds to the ground have been submitted to the Attorney General, but from a mistake in not sending on copies of the whole record, (not knowing what would be required,) they have not been approved. The necessary papers have been transmitted, the defect supplied, and we may expect a definite opinion in due course of mail. Of the state of the title to the site for the Penitentiary, I am not advised.

One of the most material elements of wealth within our Territory, is its rich coal fields. Those of Bellingham Bay are the only ones which have been worked to any extent, and their resources have been recently more fully developed, a shaft has been sunk to the depth of five hundred feet, and coal bearing a fair comparison with the best English coals procured. The thickness of the vein is twenty-five feet, and the quality semi-bituminous. The analysis of the Superintendent gives—

Carbon.....	70 per cent.
Volatile Matter.....	23 “
Ashes.....	7 “

In order more fully to develop this great interest, and as a matter

of convenience to such of our steam vessels of war as may cruise in these waters, I will suggest as a subject of memorial, the establishment by the United States, of a coal depot within our waters, similar to what they have maintained in other parts of the world, at which a certain number of tons should always be kept on hand.

The great and important lumber interests of the Territory, are shown by the extensive establishments, both of the Columbia river and Puget Sound, which export to all parts of the world manufactured lumber, spars and piles, and carry on a business of not less than two millions of dollars per year. Our magnificent forests of the most valuable timber of fir, cedar and pine, are unequalled in extent, and unrivalled in accessibility on the globe.

The commission constituted on the part of the United States for the survey of the boundary line between this Territory and Great Britain, is still in operation, but as to its progress or results, I have no information. The commission on the part of Great Britain has arrived, and the two are at present jointly engaged in the undertaking. In view of the constitution of the Colony of British Columbia, and the probability of its receiving a rapid increase of population, it is material to the welfare of this Territory, in order to avoid all possible disputes as to jurisdiction, that this boundary line should be surveyed and marked to the Rocky mountains.

In this connection, I will call your attention to the line between Oregon and Washington, and in the event of the probable admission of Oregon into the Union as a State, suggest the expediency of having that surveyed and marked. This line has already been estimated for by the Surveyor-General, in his annual report, to be used as a base line for the further progress of the land surveys east of the Cascades:

The extension of the public surveys during the past year, have developed large bodies of excellent farming lands upon the lower Columbia and Chehalis rivers—upon Grey's Harbor, the Cowlitz, the Peninsular between Puget Sound and Hood's Canal,—and also, upon the southern shores of the Straits of Juan de Fuca. From the office of the Surveyor-General, I am enabled to furnish the following information since the last annual Message:

No. of miles of Meridian and Standard Parallel lines surveyed.....	150
No. of miles, Township and Sub-divisional lines.....	3,339
No. of acres surveyed.....	816,590
No. of miles proposed for survey in 1859.....	3,720
Total No. of acres surveyed in the Territory.....	1,420,969

Of this 94,200 acres are prairie lands, exclusive of the Nisqually and Vancouver plains.

By the Register of the Land Office I am informed that the number of pre-emption claims on *surveyed* lands, taken since February 1st, 1858, is one hundred and twelve; previous to that date forty-nine had been taken. These are exclusive of some fifteen hundred claims taken under the Donation Law. There are, however, a great number of pre-emptions on *unsurveyed* lands, which can not be definitely determined until the surveys are completed, and the plats returned to his office.

Complaint has been made by settlers, of the non-issuing of patents for land claims taken under and by virtue of the Act of Sept. 27th, 1850. Sec. 7 of that act, after stating the time within which notice of the commencement of settlement and cultivation must be made, has the following words: "*and at any time after the expiration of four years from the date of such settlement, whether made under the laws of the late provisional government or not, shall prove, in like manner, by two disinterested witnesses, the fact of continual residence and cultivation required by the fourth section of this Act; and upon such proof being made, the Surveyor General, or other officer, appointed by law for that purpose, shall issue certificates, under such rules and regulations as may be prescribed by the Commissioner of the General Land Office, setting forth the facts in the case, and specifying the land to which the parties are entitled. And the said Surveyor General shall return the proof so taken to the office of the Commissioner of the General Land Office, and if the said Commissioner shall find no valid objection thereto, patents shall issue for the land according to the certificates aforesaid, upon the surrender thereof.*" It will be seen by the wording of the statute that the law renders it optional with the claimant whether he will make final proof or not—the words being, "*at any time after the expiration of four years,*" &c. In order to avoid confusion in the issuing of patents, and to prevent any conflict in the boundary lines under them, it becomes necessary, as I am informed, not only for each but for all claimants under this law in a certain township, in order to secure their patents, to have their claims surveyed, and so connected with the Government surveys, that the Land Office can obtain an accurate description of the same and take proper action thereupon. The failure of one to take this step may delay all in that township. In a matter of so much moment to the future welfare of the Territory, I suggest for your consideration the propriety of asking for an amendment to the law, making it compulsory upon the claimant, within a reasonable period, to have his claim regularly surveyed, and a plot of the same returned to the proper office.

In this connection I will add that just complaints have been made against the orders issued by the Military authorities in 1857, prohibiting settlement in that portion of the Territory east of the Cascade Mountains, as an infringement of the rights and privileges guaranteed by the Donation Law. This order, I am informed, has been practically rescinded. Congress, at its last session, extended the land surveys over that section of the Territory. Estimates have been made for the same, and as soon as appropriations are made, and the state of the country will permit, the work will be put under contract.

The extended nature of our settlements, from the 49th parallel on the north to the Columbia on the south, and from the Pacific on the west to the Rocky Mountains on the east, demand the creation of several new land offices. There should be at least three additional Land Districts organized,—one for the lower part of Puget Sound; one for the Columbia river; and, in view of the surveys of the interior, one for that section of the Territory. Your attention is especially called to this matter.

The 4th section of the Act of July 17th, 1854, (amendatory to the Donation Act,) provides that, "there shall be reserved to each of the Territories of Washington and Oregon two townships of land, of thirty-six sections each, to be selected in legal sub-divisions for University purposes, under the direction of the Legislatures of said Territories respectively."

By the Act of the Legislative Assembly, passed January 31st, 1855, the Superintendents of Common Schools of the various Counties were constituted a Board of Commissioners to select and locate these lands. They have not yet, as I am informed, taken any action on the subject. In a matter of so great moment to our educational welfare, and in view of the rapidity with which the better lands have been taken up, and probably will continue to be during the coming year, I recommend some speedy action on your part to enable the Territory to avail itself of this munificent provision.

By the Quarter-master General, I am informed that the number of arms at present on hand, belonging to the Territory, is as follows:

Rifles.....	194
Muskets.....	660
Small arms, (damaged,).....	39
Carbines.....	4
Howitzers, (complete,).....	2
Sabres.....	15
The number distributed amongst the various counties.....	1,088

In the general charge of these arms, for cleaning, repairing, and

keeping them in good order, a small indebtedness has been incurred by the Quarter-master General, as will appear by his report,—for the payment of which, I recommend that an appropriation be made.

Since the last annual Message, four light-houses have been completed, and are now in full operation,—one at Cape Flattery—one at New Dungeness—one at Shoalwater Bay—and one on Smith's Island, in the Straits of Fuca. There is an appropriation for one at Red Bluff, on Whitby's Island, which will be erected in the coming spring. In addition to these, the increasing settlement in the valley of the lower Chehalis demands that a light should be erected at Grey's Harbor, and that the channel and bar should be surveyed and buoyed out. It would also materially facilitate the navigation of the upper part of the Sound to have a light, either upon Sandy Point or the northern end of Vashon's Island. I call your attention to these as a subject for memorial.

Fellow citizens—we are now entering upon the sixth annual session of the Legislative Assembly. Since your first meeting, many and grave changes have taken place,—many for our welfare—a few, but important ones, to our detriment. It is to be hoped that the latter have ceased. Within that period, no bickerings have taken place—no local feuds and jealousies sprung up, but a general spirit of conciliation and good will has pervaded. May it long continue so, and may your present session be characterized by a spirit of harmony and united concession, such as will redound to your own honor and the welfare of our beloved Territory.

C. H. MAISON.

The Council having retired to their chamber, the House resumed its session.

Mr. Caples moved that the Governor's message be laid on the table, and one thousand and five hundred copies ordered printed.

Mr. Briscoe moved to amend by ordering two thousand.

Amendment accepted; and motion, as amended, adopted.

On motion,

House adjourned to meet at 10 o'clock, A. M., to-morrow.

THURSDAY, DECEMBER 9, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Caples, Catlin, Chapman, Carter, Daniel, Goddard, Gove, Hawk, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Savage, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

The Speaker announced the following standing committees:

On Elections—Messrs. Catlin, Shed, and Cline.

On Ways and Means—Stiles, Tennant, Briscoe, Lewis, and Smith.

On Education—Carter, Rutledge, and Hawk.

On Judiciary—Biles, Howe, Briscoe, Savage, and Carter.

On Claims—Henness, Longmyre, Tennant, and Rutledge.

On Military Affairs—Chapman, Stiles, Judson, Daniel, and Hawk.

On Roads and Highways—Rutledge, Smith, Savage, Mannen, and McCall.

On Engrossed Bills—Briscoe, Carter, and Shed.

On Enrolled Bills—Daniel, Goddard, Catlin, and Sylvester.

On Indian Affairs—Gove, Sylvester, Weed, Smith, and Tennant.

On Commerce—Howe, Chapman, and Lewis.

On Printing—Shead, Gove, and Cline.

On Corporations—Purdy, Howe, and Hawk.

On Memorials—Caples, Henness, Cline, Weed, and Hawk.

On Counties—Goddard, Judson, Lewis, and Weed.

On Rules and Orders—Mannen, McCall, and Henness.

On Agriculture—Judson, Rutledge, Savage, and Purdy.

On Public Grounds and Buildings—Sylvester, Caples, Daniel, and McCall.

On Territorial Library—Longmyre, Biles, Catlin, and Hawk.

Mr. Chapman, the chairman of the committee on Credentials, reported that Elliot Cline, Esq., the member elect from the County of Clallam, was present.

Mr. Cline appeared and took the oath of office according to law.

Mr. Biles offered the following Resolution:

Resolved—That the clerk be instructed to furnish the members of the House and officers with twelve copies, each, of the *Pioneer and Democrat*, during this session.

Mr. Howe moved to amend by inserting after "*Pioneer and Democrat*," *Puget Sound Herald*.

On motion of Mr. Henness,

Resolution was laid on the table.

On motion of Mr. Caples;

That the Sergeant-at-Arms be instructed to procure of Secretary Mason copies for each member of the House of the Journals of the House of Representatives and Council of last session.

Mr. Howe moved to amend by adding "laws of last session."

Amendment accepted, and resolution as amended adopted.

On motion of Mr. Chapman,

The Governor's Message was taken from the table.

On motion of Mr. Chapman,

The House resolved itself into committee of the whole upon said message.

Mr. Caples in the Chair.

After some time spent in the committee of the whole, the committee rose and reported through their chairman that they would recommend that the various portions of the Message be referred to the appropriate standing committees, as follows:

So much of said message as refers to Ports of Entry be referred to committee on Commerce.

So much as relates to winter campaigns, &c., be referred to committee on Military Affairs.

So much as relates to the organization of the department of Oregon be referred to committee on Judiciary.

So much as relates to Pacific Railroad be referred to committee on Roads and Highways.

So much as relates to military roads be referred to committee on Memorials.

So much as relates to Indian treaties be referred to committee on Indian Affairs.

So much as relates to Hudson Bay and Puget Sound Agricultural Company be referred to committee on Corporations.

So much as relates to the war debt be referred to committee on Memorials.

So much as relates to the Territorial Library be referred to committee on Territorial Library.

So much as relates to granting powers to Governors to offer rewards, &c., be referred to committee on Claims.

So much as relates to the coal and lumber resources be referred to committee on Commerce.

So much as relates to the land law be referred to the committee on Judiciary.

So much as relates to new land districts be referred to committee on Memorials.

So much as relates to University lands be referred to committee on Education.

So much as relates to Quarter Master's report be referred to committee on Military Affairs.

So much as relates to light houses be referred to committee on Commerce.

And the committee ask leave to be discharged from further consideration thereof.

On motion of Mr. Biles,

The report was adopted and committee discharged.

Mr. Biles offered the following Resolution :

Resolved, That the committee on Rules and Orders be requested to report on Monday next, rules and orders for the government of the House.

Resolution adopted.

On motion of Mr. Hawk,

House adjourned till 10 o'clock, A. M., to-morrow.

FRIDAY, DECEMBER 10, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Weed and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Howe offered the following Resolution:

Resolved by the Legislative Assembly of the Territory of Washington, That a special committee of five be appointed to enquire into the mail service of this Territory.

Resolution adopted.

The Speaker appointed Messrs. Howe, Chapman, Tennant, Carter and Caples said committee.

On motion of Mr. Chapman,

The resolution relative to furnishing members with papers was taken from the table.

Mr. Howe withdrew his former amendment and moved to strike out "twelve" and insert "five copies of each paper."

Mr. Catlin moved to amend by striking out "Puget Sound Herald."

Upon this amendment the yeas and nays were demanded, which resulted as follows :

Those voting in the affirmative, were—

Messrs. Briscoe, Catlin, Carter, Hawk, Henness, Judson, Longmyre, Rutledge, Sylvester, Shead and Mr. Speaker—11.

Those voting in the negative, were—

Messrs. Biles, Caples, Chapman, Eline, Daniel, Goddard, Gove, Howe, Mannen, McCall, Purdy, Smith, Stiles, Savage and Weed—15.

The amendment was lost.

Mr. Howe offered the following substitute for the Resolution on newspapers:

Resolved, That the committee on Printing be requested to procure of the Editors of the *Pioneer and Democrat* and *Puget Sound Herald* five copies of each, in wrappers, for each member of the House.

On motion the substitute was accepted.

Mr. Briscoe moved to amend by leaving it optional with the members and officers to take all from either of the offices if he so chooses.

On motion of Mr. Carter,

The resolution with amendment was referred to the committee on Printing.

Mr. Chapman moved to adjourn until Monday next, 10 o'clock, A.M.

Motion lost.

Mr. Caples moved to adjourn till 10 o'clock, A. M. to-morrow.

Motion carried.

The House adjourned.

SATURDAY, DECEMBER 11, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Savage, Weed and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Chapman, chairman of the committee on Credentials, reported that John A. Tennant, Esq., member elect from the county of Whatcom, was present.

Mr. Tennant came within the bar and took the oath of office according to law.

Mr. Lewis, upon leave being granted, presented the petition of G. O. Merrillat praying for a divorce from his wife, Lucinda A. S. Merrillat.

On motion of Mr. Chapman,

The petition was referred to a select committee.

The Speaker appointed Messrs. Lewis, Henness and Smith said committee.

Mr. Biles, upon leave, presented the petition of Isabella Hunt, praying for a divorce from her husband, Robert Hunt.

On motion referred to a select committee.

The Speaker appointed Messrs. Biles, Stiles and Chapman said committee.

Mr. Sylvester moved to adjourn. Lost.

Mr. Henness offered the following resolution:

Resolved, That the Rev. Devore or Rev. Whitworth be requested to officiate as Chaplains (alternately) for the House of Representatives, the present session.

Mr. Caples moved to lay the resolution on the table. Carried.

Mr. Daniel moved to adjourn. Lost.

On motion of Mr. Chapman,

The resolution relative to Chaplain was taken from the table.

Mr. Chapman moved a call of the House.

Absent—Mr. Howe.

The Door Keeper was instructed to bring in the absent member.

Mr. Chapman moved to adjourn until 2 o'clock, P. M., on Monday next. Lost.

On motion of Mr. Caples,

A further call of the House was dispensed with.

On motion of Mr. Biles,

House adjourned till Monday, 10 o'clock, A. M.

MONDAY, DECEMBER 13, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Henness, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Savage, Tennant, Weed and Mr. Speaker.

Journal of Saturday read and approved.

Mr. Rutledge presented a petition signed by T. F. Berry and 38 others, to more definitely define the north and west boundary line of Thurston county.

On motion referred to committee on Counties.

Mr. Mannen, Chairman of committee on Rules and Orders, made the following report:

The committee on Rules and Orders report the Rules and Orders of last session for the permanent government of the House at this session, with the following amendments:

In Section 10, line 2d, "by ballot" be stricken out, and after the list of standing committees in Sec. 47, add, a committee on Territorial Library.

J. P. MANNEN,

Chairman.

On motion the report was adopted.

On leave, Mr. Smith presented the petition of Caroline Hant, praying to be divorced from her husband Jacob Hant.

On motion of Mr. Stiles,

The petition was referred to a select committee of three.

The Speaker appointed Messrs. Smith, Weed and Tennant said committee.

Mr. Biles, chairman of select committee to whom was referred the petition of Isabella Hunt, praying for dissolution of the bonds of matrimony, begged leave to report the same back to the House and recommend its passage, as per accompanying bill :

H. B. No. 2—An act entitled an act to dissolve the bonds of matrimony existing between Robert Hunt and his wife Isabella Hunt.

On motion of Mr. Hennes,

A committee of three be appointed as a joint committee on the part of the House, on joint rules and orders, to confer with like committee on the part of the Council, and report to-morrow morning.

On motion rules were suspended and resolution read second time.

On motion rules were further suspended and read a third time and adopted.

The Speaker appointed Messrs. Hennes, Caples and Tennant said committee.

On motion of Mr. Chapman,

Mr. Daniel was excused from attendance until Friday next.

Mr. Chapman moved that the resolution relative to Chaplain be taken from the table and indefinitely postponed.

Lost.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the concurrence on the part of the Council to H. J. R. No. 2, and have appointed Messrs. Phillips and Denny on the part of the Council.

Mr. Stiles moved that the resolution relative to Chaplain be adopted.

Mr. Carter moved to amend by requesting Messrs. Devore and Whitworth to officiate, alternately, as Chaplains.

Mr. Caples moved to amend by adding the name of Father Rossi.

Carried.

Mr. Chapman moved to amend by adding the name of Rev. Guthrie

Carried.

Mr. Lewis moved to amend by adding the name of W. M. Morrow.

Carried.

On motion of Mr. Caples,

The resolution, as amended, was referred to a select committee.

The Speaker appointed Messrs. Caples, Chapman and Weed said committee.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of C. J. R. No. 2, relative to a joint committee to examine the report of B. P. Anderson, Esq., one of the Commissioners appointed last winter to revise the laws of Washington Territory, and have appointed Messrs. Wiley and Wallace as said committee on the part of the Council.

On motion of Mr. Biles,

The House concurred in C. J. No. 2.

The Speaker appointed Messrs. Biles, Carter and Weed said committee on the part of the House.

On motion of Mr. Smith,

The House adjourned until 10 o'clock, A. M., to-morrow.

TUESDAY, DECEMBER 14, 1858.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Catlin, Carter, Chapman, Cline, Goddard, Gove, Hawk, Howe, Henness, McCall, Purdy, Rutledge, Smith, Stiles, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

On leave,

Mr. Catlin presented the petition of Messrs. Smith's, praying for a charter for the exclusive right to navigate the Cowlitz river by steam.

On motion of Mr. McCall,

The petition was referred to the committee on Commerce.

On leave,

Mr. Biles presented Joint Memorial No. 1, praying for a military road from Cowlitz river to Dalles,

On motion,

Rules were suspended, and J. M. No. 1 read second time "by title" and ordered to be printed.

On leave,

Mr. Carter presented H. J. M. No. 2, praying for the erection of a lighthouse at Grey's Harbor, and to survey and buoy out its channel.

On motion of Mr. Howe,

Rules were suspended, and memorial read second time by title and ordered to be printed.

Mr. Smith, chairman of committee to whom was referred the petition of Caroline Hans, made the following report :

The special committee, to whom was referred the petition of Caroline Hans, praying for the dissolution of the bonds of matrimony, beg leave to report the same back to the House and recommend the passage of the accompanying bill—H. B. No. 3, an act to dissolve the bonds of matrimony between Jacob Hans and his wife, Caroline Hans.

On motion of Mr. Biles,

The report was accepted.

Mr. Lewis, chairman of the select committee to whom was referred the petition of G. O. Merrillat, beg leave to report the same back to the House and recommend the passage of the accompanying bill—H. B. No. 1, an act to dissolve the bonds of matrimony between G. O. Merrillat and his wife, Lucinda, A. S. Merrillat.

On motion of Mr. Stiles,

The report was accepted.

Mr. Howe moved the bill be referred to the committee on Judiciary.
Lost.

Mr. Howe moved it be referred to committee on Corporations.

Lost.

Mr. Henness, chairman of committee on the part of the House on Joint Rules and Orders, made the following report :

MR. SPEAKER :—I am instructed by the joint committee on Joint Rules and Orders, to report to the House that they have attended to the duty assigned them, and recommend the adoption of the Joint Rules and Orders of last session for the permanent government of the present Legislative Assembly.

B. L. HENNESS,

Chairman,

On motion of Mr. Biles,

The report was adopted.

Mr. Caples, chairman of the committee to whom was referred the resolution relative to chaplain, made the following majority report :

MR. SPEAKER :—The select committee, to whom was referred the resolution of the House extending an invitation to the several clerical gentlemen therein named, beg leave to report that they have had the same under consideration, and have instructed me (in behalf of the majority) to report the same back to the House and recommend that further action thereon be indefinitely postponed.

H. L. CAPLES,
Chairman.

Mr. Chapman, of the committee on the resolution relative to chaplain, made the following report :

MR. SPEAKER :—The undersigned, one of the committee to whom was referred the resolution relative to chaplain, have had the same under *grave* consideration, and having been satisfied that it is highly necessary that this deliberative body should have a chaplain, therefore, the committee would recommend that all the names be stricken out, except Rev. Rossi, and recommend its passage.

J. M. CHAPMAN.

On motion of Tennant,

The reports were laid on the table and ordered printed.

Mr. Henness presented the following resolution :

Resolved, That all bills, memorials, &c., coming from the hands of committees be printed before action is taken on them, unless otherwise ordered by the House.

Resolution adopted.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the introduction in the Council of C. M. No. 1, relative to the construction of a military road from Fort Vancouver to Fort Simcoe.

Also, of C. B. No. 1, an act to establish pilots and pilot regulations in the Straits of Juan de Fuca and the various harbors on Puget Sound, W. T.

Mr. Lewis moved a suspension of the rules, and that H. B. No. 1 be read second time now.

Carried.

On motion,

H. B. No. 2 was taken from the table and ordered printed.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to report to the House, that the Council have adopted the report of the joint select committee on the part of the Council, on Joint Rules and Orders.

Mr. Biles moved a suspension of rules, and that H. B. No. 3 be read second time now and ordered printed.

Carried.

Mr. Lewis moved a suspension of rules, and that H. B. No. 1 be read third time now.

Carried.

It being read third time by title, the question being shall this bill pass, the ayes and noes were demanded, and resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Chapman, Oline, Gove, Howe, Henness, Lewis, Mannen, Purdy, Smith, Stiles, Sylvester, Savage, Tennant, Weed, and Mr. Speaker—16.

Those voting in the negative were—

Messrs. Caples, Catlin, Carter, Goddard, Hawk, Judson, Longmire, McCall, Rutledge, and Shead—11.

So the bill passed.

The question being on the title, the ayes and noes were demanded. The following is the vote :

Those voting in the affirmative were—

Messrs. Biles, Chapman, Oline, Gove, Howe, Henness, Lewis, Mannen, Purdy, Smith, Stiles, Sylvester, Savage, Tennant, Weed, and Mr. Speaker—16.

Those voting in the negative were—

Caples, Catlin, Carter, Goddard, Hawk, Judson, Longmire, McCall, Rutledge, and Shead—10.

So the title was agreed to.

On motion of Mr. Shead,
House adjourned.

WEDNESDAY, DECEMBER 15, 1858.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Henness, Judson, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Shead, chairman of committee on Printing, to whom was referred the resolution relative to newspapers, made the following report :

The committee on Printing, to whom was referred the resolution relative to newspapers, have had the same under consideration, and beg leave to report the same back to the House with the following amendment :

That the committee on Printing be instructed to procure from the editor of the *Pioneer and Democrat*, six copies of the *Pioneer and Democrat* for each member and officer of the House.

OLIVER SHEAD,
Chairman.

Mr. Weed moved to amend by adding " or *Puget Sound Herald*,"

and leave it optional with members and officers to take all or a part of his quota from either office, as he may choose.

Mr. Tennant moved the report, with the amendment, be laid upon the table and the special order of the day to-morrow.

Carried.

On motion of Mr. Hawk,

House adjourned.

THURSDAY, DECEMBER 16, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names :

Messrs. Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmire, Mannen, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, and Mr. Speaker.

Journal of yesterday read and approved.

On leave, Mr. Rutledge presented the petition of Maria L. Pullen, praying to be divorced from her husband, Wm. H. Pullen.

On motion of Mr. Henness,

The petition was referred to the committee on Judiciary.

On leave, Mr. Tennant presented H. J. M. No. 3, praying for a port of entry at Bellingham Bay.

On motion of Mr. Biles,

It was referred to the committee on Memorials.

On leave, Mr. Henness presented the petition of Susan Terry, praying for a divorce from her husband, Wm. Terry.

On motion of Mr. Chapman,

It was referred to the committee on Judiciary.

Mr. Howe, chairman of committee on Commerce, to whom was referred the petition of Messrs. Smith, praying for a steamboat charter, &c., referred the same back to the House with the accompanying bill—H. B. No. 4, entitled an act to incorporate the Cowlitz Steam Navigation Company.

Mr. Biles, chairman of special committee on the part of the House, to act with a like committee on the part of the Council, to whom was referred the report of B. P. Anderson, Esq., one of the code commissioners, report as follows :

The special committee on the part of the House, to act with a like committee on the part of the Council, to whom was referred the report of B. P. Anderson, Esq., one of the commissioners appointed by the last Legislative Assembly to revise and compile the Laws of Washington Territory, have had the same under consideration, and beg leave to report that upon examination about two-thirds of said laws have been compiled, and that twenty-five days will be required to finish the compilation.

Therefore, the committee have instructed me to recommend that B. P. Anderson, Esq., be requested to complete the compilation, and report the same to this Legislative Assembly on or before the 20th day of January, 1859.

J. D. BILES,
Chairman.

On motion of Mr. Tennant,

The report was adopted.

On leave, Mr. Sylvester presented the following resolution :

Resolved, That the committee on Education be instructed to take into consideration the propriety of a revision of the Common School Law of this Territory, and, if such a measure should be deemed advisable, to report the same by bill.

Resolution adopted.

On motion of Mr. Biles,

H. B. No. 2 was laid on the table and made the special order of the day, on the second Monday of January, 1859.

On motion,

H. M. No. 2 was read second time ; and,

On motion of Mr. Biles,

Was referred to committee on Memorials.

On leave, Mr. Howe introduced H. B. No. 5, entitled an act assigning the judges to their several districts.

H. J. M. No. 1 read second time ; and,

On motion,

Referred to committee on Memorials.

Mr. Stiles moved that H. B. No. 5 be referred to a select committee.

Mr. Howe moved to amend, by instructing the committee to request the judges to fill the blanks of five.

Amendments accepted, and as amended adopted.

The Speaker appointed Messrs. Howe, Stiles, Henness, Tennant and Chapman said committee.

On leave, Mr. Biles presented H. B. No. 6, entitled an act repealing an act to increase county revenue, and the various amendments thereto.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council, to inform the House of the introduction in the Council of C. M. No. 2, relative to the extinction of the rights of the Hudson Bay and Puget Sound Agricultural Companies in Washington Territory.

Also, of the introduction of C. M. No. 3, praying for the appropriation of fifty thousand dollars (\$50,000) to complete the military road from Fort Benton to Fort Walla-walla.

Also, C. B. No. 2, entitled an act making an appropriation to pay for cleaning the public arms.

On leave, Mr. Cline presented H. B. No. 7, an act to amend an act entitled an act to create the office of wreck master, and define his duties.

On leave, Mr. Carter presented H. B. No. 8, entitled an act to locate a territorial road from Skookum Bay to the head of tide water on the Chehalis river.

On leave, Mr. Tennant presented H. B. No. 9, an act to amend an act entitled an act to prevent the sale of intoxicating liquor to Indians.

Mr. Stiles moved that the resolution relative to furnishing members with newspapers, be taken from the table, with the amendments thereto.

Carried.

Mr. Chapman moved that the resolution as amended be adopted.

Carried.

Mr. Henness moved that the majority report of the committee relative to Chaplain be adopted.

Carried.

On motion of Mr. Stiles,

House adjourned.

FRIDAY, DECEMBER 17, 1858.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names ;

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Henness, Judson, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

On leave, Mr. Tennant presented H. J. M. No. 3, praying Congress to make an appropriation to construct a lighthouse at Point Roberts ; which,

On motion of Mr. Cline,

Was referred to the committee on Commerce.

Mr. Biles, chairman of committee on Judiciary, to whom was referred the petition of Maria B. Pullen, reported the same back to the House with amendment, and recommend the passage of the accompanying bill—H. B. No. 10, entitled an act to dissoyle the bonds of matrimony existing between Maria B. Pullen and her husband, Wm. H. Pullen.

On motion of Mr. Henness,

The report was accepted.

H. B. No. 6 read second time ; and,

On motion of Mr. Smith,

Was referred to a select committee of five.

The Speaker appointed Messrs. Smith, Bricoe, Hawk, Judson and Weed said committee.

Mr. Briscoe asked to be excused from serving on said committee, (stating his reasons,) and, on motion of Mr. Henness, he was excused, and the Speaker appointed Mr. Catlin in his stead.

H. B. No. 7 read second time.

Third reading of bills.

H. B. No. 3 having been read third time, the question being on its final passage, shall this bill pass, was put ; and,

The bill passed and the title agreed to.

Mr. Rutledge moved that the rules be suspended, and that H. B. No. 10 be read second time now.

Lost.

On motion of Mr. Smith,

The House adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, DECEMBER 20, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Savage, Shead, Weed and Mr. Speaker.

Journal of Friday read and approved.

On leave Mr. McCall presented H. B. No. 11, an act to incorporate "Cowlitz Steam Navigation Company, No. 2."

On motion the rules were suspended and the bill referred to a select committee of three.

The Speaker appointed Messrs. McCall, Chapman and Judson said committee.

On leave, Mr. Weed presented H. J. M. No. 4, praying Congress for the erection of a Light House on Hood's Canal.

Read first time and ordered to second reading.

On leave, Mr. Carter presented H. J. M. No. 5, praying Congress for the construction of a military road from Port Townsend via Grey's Harbor and Shoal-water Bay to the Columbia River.

Read first time and ordered to second reading.

Mr. Caples, chairman of committee on Memorials, made the following report:

MR. SPEAKER:—The committee on Memorials, to whom was referred H. J. M. No. 1, relative to military road from Cowlitz River to the Dalles, have had the same under consideration and have instructed me to report the same back to the House, with correction of typographical error in fourth line, second paragraph, and recommend its passage.

Also, H. J. M. No. 2, relative to a light house at Grey's Harbor, and the surveying and buoys out its channel, have instructed me to report the same back to the House, without amendment, and recommend its passage.

Also, the petition of the citizens of Whatcom, Bellingham Bay, rel-

ative to a port of Entry thereat, have instructed me to report H. J. R. No. 3, relative to creating Whatcom, Bellingham Bay, a port of Entry, and recommend its passage.

H. L. CAPLES,
Chairman.

Mr. Howe, of the committee on Commerce, to whom referred the memorial for a light house at Point Roberts, reported the same back to the House recommending its passage.

On motion, the report was accepted.

Also, Mr. Howe presented the following letter:

OLYMPIA, Dec. 20th, 1858.

MESSRS. S. D. HOWE, C. C. STILES AND J. M. CHAPMAN,

Committee of the House of Representatives:

GENTLEMEN:—Your note of the 16th inst., requesting us to indicate to your committee the particular Districts we would prefer, is duly received. While thanking you for the courtesy in submitting the matter to us; we have the honor to reply that the accompanying bill is filled by mutual consent.

We remain, very respectfully,

Your obedient servants,

O. B. McFADDEN,

Chief Justice.

WM. STRONG,

E. C. FITZHUGH,

Associate Justices.

On leave, Mr. Briscoe presented H. B. No. 12, entitled an act to establish and define the northern boundary line of Pacific county.

Read first time and ordered to second reading.

On leave, Mr. Briscoe presented H. B. No. 13, entitled an act to construe an act entitled an act to amend an act entitled an act respecting Executors and Administrators, and the distribution of real and personal property.

Read first time and ordered to second reading.

Second reading of bills.

H. B. No. 4, read second time, and

On motion was referred to a select committee.

The Speaker appointed Messrs. McCall, Chapman and Judson said committee.

H. B. No. 8, read second time.

H. B. No. 9, read second time.

H. B. No. 10, read second time.

Mr. Rutledge moved that the rules be suspended and H. B. No. 11 be now read a third time.

Motion lost.

H. J. M. No. 1, read second time.

On motion of Mr. Henness,

The rules were suspended and the Memorial read a third time and passed.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House that the Council have passed C. J. M. No. 1, relative to the establishment of a military road from Fort Vancouver to Fort Simcoe.

On motion of Mr. Caples,

The rules were suspended and H. J. M. No. 2, was read a third time and passed.

Third reading of bills.

H. B. No. 7, was read third time and passed.

On motion of Mr. Henness,

The Clerk was instructed to report to the Council the passage of H. J. M. Nos. 1 and 2.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the introduction in the Council of C. M. No. 4, relative to the establishment of a coal depot at Whatcom, Bellingham Bay.

On leave, Mr. Biles presented H. B. No. 15, entitled an act to confer civil jurisdiction on Judges of Probate.

Read first time and ordered to a second reading.

Communication from Secretary Mason to the Speaker of the House, as follows:

SECRETARY'S OFFICE,
OLYMPIA, WASHINGTON TERRITORY,
December 20, 1858. }

Hon. E. S. DYER,

Speaker of the House of Representatives.

SIR:—For the information of the House I herewith transmit a copy of a communication from First Comptroller of the Treasury in reply to a letter from this office, forwarding a memorial of the Legislative Assembly, passed January 20th, 1858, relative to compensation of Public Printer of the Territory.

Very Respectfully,

Your ob'd't servant,

C. H. MASON,

Secretary of Territory.

TREASURY DEPARTMENT,
COMPTROLLER'S OFFICE,
November 5th, 1858. }

C. H. MASON, Esq.

Secretary of Washington Territory,

Olympia, W. T.

SIR:—In regard to the price of public printing in the Territory of Washington, as fully set forth in the letter of this office to you of Oct. 2d, 1857: I have now to note and refer to your letter of Feb. 10th, 1858, to the Hon. Secretary of the Treasury, transmitting a Memorial of the Legislative Assembly addressed to him, which passed the House, January 19th, and the Council January 20th, 1858, relative to the compensation of the Public Printer, maintaining therein that the prices heretofore allowed for the public printing be continued, for the following reasons, viz: "The extreme high price of labor and material, and the small amount of printing to be done."

On the 24th day of April last, you was addressed on the subject, and was requested to procure from the Public Printer a table exhibiting the prices paid by him to workmen, and for material for every description of work necessary to be performed or comprehended in the public printing of the Territory.

The prices set in the said letter to you, of Oct. 2d, 1857, were as follows :

"Composition per 1000 ems,.....	\$1 50
"Press work, per token of 250 impressions.....	\$1 50
"Paper, per ream, of fair quality for the Laws and Journals, (say).....	\$8 00
"And for the incidental printing, (say).....	\$5 00"

A letter addressed to the Secretary of the Treasury, dated at Olympia, July 5th, last, from Mr. Edward Furste, Public Printer, has been received, which seems to be in reply to the letter to you of April 24th, giving a statement of the prices paid by him for labor and material employed in executing the work of the Assembly of 1857-8—the main items of which were:

"Composition, per 1000 ems.....	\$ 90
"Press work, per token.....	\$1 25
"Book paper, per ream.....	\$8 50 to \$13 50
"Fools cap.....	\$5 00 to \$ 6 50"

Two certificates of workmen accompanied his letter.

The prices allowed to commence at the beginning of the session of 1857-8 were to be, for composition, per 1000 ems, \$1 50; the same for press work per token, and paper from \$5 to \$8 per ream.

By the showing of the Public Printer, a profit of over fifty per cent. is made on the composition, which is thought to be remunerative, it being by far the heaviest portion of work to be done.

The prices paid by him for press work for the session of 1857-8 was certainly high, and let it be remarked, is the first instance where press work has been charged at higher rates than composition. It does not really require a practical printer to do press work, as for instance: in all large printing establishments where power presses are used, boys and girls are employed, when the type are set and fixed in forms for the press to be worked off.

Per hand presses, any person with sufficient strength and a little practical skill can do press work. If pressmen are scarce in the Territory, and in consequence, command very high wages, the employer has the rem-

edy to employ persons to do such work by the week, and not by the piece, as also composition.

As regards paper, it is always supposed a contractor (for any kind of work) will be able, as to means, to supply himself with all the material required at the lowest cash prices. It is not expected, however, that large profits are to be made on paper; loss, though, on the other hand, should not be sustained.

Touching the reasons given in the Memorial of the Assembly, only the prices "heretofore paid" should be continued—viz: "The extreme high price of labor and material, and the small amount of printing to be done;" it may be said: as regards the latter clause, that it is believed, without present special examination, the printing executed in Washington Territory, since its organization, will not probably average less, up to the session of 1857-8, than from \$5000 to \$8000 for each year, if not more some years.

Owing, mainly, to the large amount of printing done, a deficiency appropriation was requested by yourself, and without going into detail, suffice it to say, was granted at the last session of Congress.

After the fullest deliberation, I cannot but reiterate the prices set forth in the communication to you of October 2d, 1857, as therein and herewith fully explained.

You will please communicate the contents of this letter to the Legislature at its coming session, and also to Mr. Furste.

Very respectfully,

Yours,

W. MEDILL,

Comptroller.

On motion of Mr. Chapman,

The House resolved itself into committee of the whole to take into consideration H. B. No. 10.

After some time spent therein the committee rose, reported progress and asked leave to sit again.

Leave granted,

On motion of Mr. Hawk,

House adjourned till 10 o'clock, A. M., to-morrow.

TUESDAY, DECEMBER 21, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tendant, Weed and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Biles, chairman of the committee on Judiciary made the following report.

MR. SPEAKER:—The committee on Judiciary to whom was referred the petition of Susan Terry, praying for a dissolution of the bonds of matrimony between Wm. Terry and said Susan Terry, having had the same under consideration, have instructed me to report the same back and recommend the passage of the accompanying bill, H. B. No. 16, entitled an act to dissolve the bonds of matrimony existing between Wm. Terry and his wife, Susan Terry.

J. D. BILES,
Chairman.

Mr. Caples, chairman of committee on Memorials, made the following report:

MR. SPEAKER:—The committee on Memorials, to whom was referred C. M. No. 1, relative to the establishment of a military road from Fort Vancouver to Fort Simcoe, have had the same under consideration and have instructed me to report the same back to the House, without amendment and recommend its passage.

H. L. CAPLES,
Chairman.

Mr. Smith, chairman of the select committee, to whom was referred H. B. No. 6, presented the following majority report:

MR. SPEAKER:—The select committee, to whom was referred H. B. No. 6, have instructed me to report the same back with the following amendments:

In Section I, line 4th, after the word "costs," insert—retail stores, and after the word "therefore," insert—and such license to be no less than \$5 00, nor more than \$50 00.

In Section III, line 3d, strike out all after the word "shall," and insert—not to be less than \$50 nor more than \$200.

In Section IV, after 5th line, insert—and it shall be the duty of said County Commissioners or County Auditors in vacation, to certify, upon honor, that the person receiving the license is a citizen of good and moral character.

Strike out all of Section VII, and insert in lieu thereof:—All fines and forfeitures in this law shall go, one-half into the County Treasury, and one-half into the common school fund of the county wherein the offence was committed.

And with these amendments, would recommend its passage.

JOHN F. SMITH,

Chairman.

Mr. Catlin, of the aforesaid select committee, presented the following minority report:

MR. SPEAKER:—The undersigned, members of the committee, to whom was referred the bill, entitled an act repealing an act to increase County Revenue, and the various amendments thereto, respectfully submit: that inasmuch as we cannot agree with the majority of said committee in the justness of laws imposing, in the way of licenses, a special tax on particular kinds of business or property—believing the same to be in violation of Section VI of the Organic Act, which says, that "all taxes shall be equal and uniform, and no distinction shall be made in the assessment between the different kinds of property, but the assessment shall be according to the value thereof;" ask leave to present their report, and they recommend the passage of the following entitled act:

AN ACT TO SECURE EQUAL TAXATION.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That all laws providing for granting licenses to carry on any special trade, business or occupation, are hereby repealed.

SEC. 2. Hereafter, taxation shall be equal and uniform upon all property in proportion to its actual value.

JOHN CATLIN.

J. M. HAWK.

On leave, Mr. Biles introduced H. B. No. 17, entitled an act to incorporate the Sisters of Charity of the House of Providence, in the Territory of Washington.

Read first time and ordered to second reading.

On leave, Mr. Caples presented the following resolution, H. J. No. 4:

Resolved by the House, the Council concurring, That when the House adjourns on Thursday, the 23d of Dec., 1858, they adjourn until Tuesday the 4th day of January, 1859.

Read first time, and

On motion of Mr. Henness,

Rules suspended and read a second time.

On motion of Mr. Caples,

The rules were further suspended, and resolution read a third time and adopted.

On motion, the Clerk was ordered to report the same, immediately, to the Council.

Second reading of bills.

H. B. No. 15, was read a second time.

Mr. Briscoe moved to amend by striking out the word "criminal," and insert, in second line of Section 6, the word "civil."

Carried.

On motion Mr. Howe,

The bill was re-committed to committee on Judiciary.

H. J. M. No. 3, was read a second time, and

On motion of Mr. Tennant,

The rules were suspended, and the Memorial was read a third time and passed.

H. J. M. No. 4, was read a second time, and

On motion of Mr. Henness,

The rules were suspended and the Memorial was read a third time and passed.

On motion, the Clerk was ordered to report the same to the Council, immediately.

Third reading of bills.

H. B. No. 5, relative to the assignment of Judges, was read a third time.

The question being upon the final passage of the bill, the yeas and nays were demanded, and were as follows:

Those voting in the affirmative, were—

Messrs. Biles, Briscoe, Caples, Catlin, Carter, Cline, Gove, Hawk, Henness, Judson, Longmyre, Lewis, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage and Tennant—22.

Those voting in the negative, were—

Messrs. Chapman, Goddard, Howe and Weed—4.

So the bill was passed.

Previous to putting the question: "Shall the title of the bill be agreed to," by the Speaker, Mr. Henness moved that the vote on the final passage of H. B. No. 5, be reconsidered.

Upon the motion to reconsider, the ayes and nays were demanded, and were as follows:

Those voting in the affirmative, were—

Messrs. Briscoe, Catlin, Carter, Cline, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Purdy, Rutledge, Smith, Sylvester, Shead, Savage and Tennant—18.

Those voting in the negative, were—

Messrs. Biles, Caples, Chapman, Howe, Judson, Stiles and Weed—7.

So the passage of the bill was reconsidered.

Mr. Tennant moved to amend by inserting the following title:—An act to assign the District Judges to their respective Districts.

Upon this amendment the yeas and nays were demanded, and were as follows:

Those voting in the affirmative, were—

Messrs. Biles, Briscoe, Catlin, Carter, Cline, Goddard, Gove, Hawk, Henness, Judson, Longmyre, Lewis, McCall, Rutledge, Smith, Sylvester, Shead, Savage, Tennant and Weed—20.

Those voting in the negative, were—

Messrs, Caples, Chapman, Howe, Purdy and Stiles—5.

So the amendment was adopted.

On motion of Mr. Caples,

The bill was re-committed to the committee on Judiciary.

H. B. No. 3, was read a third time.

The question occurring on its final passage, the bill passed and title agreed to.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House that the Council have passed C. M. No. 3, relative to additional appropriation for completing the military road from Fort Walla-walla to Fort Benton.

Also, passage of C. M. No. 2, relative to the extinguishment of the rights of the Hudson Bay and Puget Sound Agricultural Companies.

Also, passage of H. J. M. No. 1, relative to a military road from Cowlitz River to the Dalles.

Also, of the indefinite postponement of H. B. No. 1, entitled an act to dissolve the bonds of matrimony existing between G. O. Merrillat and his wife Lucinda A. S. Merrillat.

H. B. No. 9, an act to amend an act entitled an act to prevent the sale of spiritous liquors to Indians, was read a third time.

The question being on its final passage, the bill passed and title was agreed to.

On motion of Mr. Howe,

That part of the Journal recording the report of the committee of the whole, in consideration of H. B. No. 10, be so amended as to read—ask leave to sit again, instead of "ask to be discharged."

Carried.

C. J. M. No. 1, was read a second time, and

On motion, the rules were suspended and Memorial read a third time and passed.

On motion of Mr. Henness,

That the House now resolve itself into committee of the whole on

H. B. No. 10, the yeas and nays being demanded, resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Catlin, Cline, Goddard, Henness, Longmire, Lewis, McCall, Purdy, Rutledge, Smith, Shead, Savage, and Tennat—15.

Those voting in the negative—

Messrs. Caples, Chapman, Carter, Gove, Hawk, Howe, Judson, Stiles, Sylvester, and Weed—10.

So the House resolved itself into a committee of the whole.

Mr. Henness in the chair.

After sometime spent therein, the committee rose, asked to be discharged, recommending the passage of the original bill.

On motion of Mr. Henness,

H. B. No. 10 was taken from the table and read third time.

Upon the final passage of which, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Chapman, Carter, Clipe, Howe, Henness, Judson, Longmire, Lewis, McCall, Rutledge, Smith, Stiles, Sylvester, Savage, and Weed—17.

Those voting in the negative were—

Messrs. Caples, Catlin, Goddard, Gove, Hawk, Purdy, Shead, and Tennant—8.

So the bill passed and the title was agreed to.

On motion,

House adjourned.

[illegible]

On motion, the Clerk was instructed to inform the Council of the introduction and passage of H. J. Ms. No. 6 and 7.

On leave, Mr. Dilling presented H. B. No. 13, entitled an act to amend an act entitled an act relating to the County and Territorial revenue.

Read first time.

On leave, Mr. Hawk presented H. B. No. 10, entitled an act to amend an act entitled an act to provide for the carrying and collecting of County and Territorial revenue.

Read first time.

On leave, Mr. Hawk presented H. B. No. 20, entitled an act to amend an act entitled an act relating to County Assessors.

Read first time.

On leave, Mr. Shead presented H. B. No. 21, entitled an act to change the time of holding the sessions of County Commissioners Court.

Read first time.

On leave, Mr. Henness presented H. B. No. 22, entitled an act in relation to the construction of roads and highways, and defining the duties of Supervisors of highways.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of C. J. R. No. 3, relating to the establishment of a line of military posts along the line of the emigrant road from the Missouri river to Fort Walla-walla.

Second reading of bills.

H. B. No. 12, relative to the establishment of the northern line of Pacific county.

Read second time and referred to the committee on Counties.

H. B. No. 13, entitled an act to construe an act entitled an act to amend an act entitled an act respecting Executors and Administrators.

Read second time and referred to committee on Judiciary.

H. B. No. 14, entitled an act to amend an act in relation to the construction of roads and highways.

Read second time and referred to committee on Roads and Highways.

H. J. R. No. 3, relative to making Whatcom, Bellingham Bay, a port of entry.

Read second time and,

On motion of Mr. Tennant,

Amended by striking out the word "enacted" occurring in the first line and inserting the word "resolved."

On motion of Tennant,

The rules were suspended, and H. J. R. No. 3 was read third time and passed.

H. J. M. No. 5 was read second time.

Mr. Carter moved to amend by striking out the word "acts" in the ninth line and insert "arts."

Carried.

Mr. Carter moved that the rules be suspended, and H. J. M. No. 5 be read a third time now.

Carried ; and

Memorial read third time and passed.

On motion, the rules were suspended and the Clerk instructed to report to the Council the passage of H. J. M. No. 5 and H. J. M. No. 3.

C. M. No. 3, relative to the establishment of military posts along the line of the emigrant road from the Missouri river to Fort Walla-walla,

Read second time,

On motion, rules were suspended,

Read third time and passed.

C. M. No. 2 read first time ; and,

On motion, the rules were suspended, and

Read second time.

On motion, rules were further suspended,

Read third time and passed.

On motion of Mr. Henness,

H. B. No. 16 was taken from the table, and

Read second time.

On motion,

House adjourned.

THURSDAY, DECEMBER 23, 1858.

House met pursuant to adjournment.

On the roll being called the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmire, Lewis, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tenant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of H. J. M. No. 2.

Also, of the passage of H. J. M. No. 3; with amendments.

Also, of the passage of H. J. M. No. 4, with amendments.

Also, of the passage of H. J. M. No. 6.

Also, of the passage of H. J. M. No. 7.

Also, of the passage of C. M. No. 4.

Also, of the passage of C. M. No. 5.

On leave, Mr. Lewis presented H. J. M. No. 8, praying for appropriations to complete the military road from Fort Steilacoom to Bellingham Bay.

Mr. Biles, chairman of the committee on Judiciary, presented the following report ;

The committee on Judiciary, to whom was referred H. B. No. 5, having had the same under consideration, have instructed me to report the same back to the House with amendments, for the further consideration of the House.

J. D. BILES,
Chairman.

Mr. Carter, chairman of the committee on Education, presented the following report :

The committee on Education, to whom was referred the resolution relating to the revision of the School Laws, &c., have had the same under consideration, and have instructed me to report, that upon examination they find that a revision of those Laws will consume more time than the committee will be able to devote to them, and have therefore recommended that Rev. G. F. Whitworth be requested to compile the revision of said Laws, and report the same to this Assembly by the 15th of January, 1859.

C. M. CARTER,
Chairman.

On motion,

The report was accepted.

Mr. Biles presented the following communication :

Gentlemen of the Legislative Assembly of the Territory of Washington :

I hereby tender to your honorable body my resignation as Penitentiary Commissioner, with sincere gratitude and due respect for the honor conferred upon me by said appointment.

Believe me to remain,

Your obedient servant,

WM. H. DILLON.

On leave, Mr. Caples presented H. J. M. No. 9, praying for a donation of land to the Territory of Washington for railroad purposes.

On motion of Mr. Stiles,

The rules were suspended and memorial read second time.

On motion, rules were further suspended,

Read third time and passed.

On motion, the Clerk was instructed to report the passage of the resolution to the Council.

On leave, Mr. Henness presented H. B. No. 23, entitled an act to provide for the collection of County and Territorial Revenue.

Read first time.

On leave, Mr. Caples presented H. J. R. No. 5, relative to the employment of an Enrolling Clerk.

Read first time.

On motion, rules were suspended, and

Read second time.

On motion, the rules were further suspended, and

Read third time and adopted.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of H. J. M. No. 9, praying for a grant of public lands to the Territory of Washington for railroad purposes.

Also, of passage of H. J. R. No. 3, relative to making Whatcom, Bellingham Bay, a port of entry.

Also, of the passage of C. M. No. 5, praying for an appropriation for a military road from Gray's Bay, on the Columbia river, to Fort Steilacoom, on Puget Sound.

A call of the House being demanded, Messrs. Daniels, Carter and Mannen were reported absent.

On motion of Mr. Caples,

Sergeant-at-Arms was instructed to bring in absent members.

Further call of the house dispensed with.

Third reading of H. B. No. 16.

The yeas and nays being demanded on its final passage, resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Chapman, Cline, Henness, Longmire, Lewis, McCall, Smith, Stiles, Sylvester, Weed, and Mr. Speaker—13.

Those voting in the negative were—

Messrs. Caples, Catlin, Carter, Goddard, Gove, Hawk, Howe, Judson, Purdy, Rutledge, Shead, Savage, and Tennant—13.

So the bill was lost.

BUSINESS FROM THE COUNCIL.

H. J. M. No. 3 reported back from the Council with amendments.

On motion, the amendments were concurred in by the House.

C. M. No. 4, relative to the establishment of a coal depot at Bellingham Bay,

Read first time.

On motion, rules were suspended, and

Read second time.

On motion, rules were further suspended, and

Read third time ; pending which,

Mr. Weed moved to amend by striking out the words " Bellingham Bay," in the twelfth line.

The yeas and nays were demanded ; also, a call of the House, and the Sergeant-at-Arms was instructed to bring in absent members.

A further call of the house being dispensed with, the yeas and nays resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Chapman, Cline, Gove, Longmire, Lewis, McCall, Purdy, Rutledge, Stiles, Shead, Savage, and Weed—13.

Those voting in the negative were—

Messrs. Briscoe, Caples, Catlin, Carter, Goddard, Hawk, Howe, Henness, Judson, Smith, Sylvester, Tennant, and Mr. Speaker—13.

So the amendment was lost.

On motion, C. M. No. 4 was read third time and adopted.

Mr. Caples moved that when the House adjourn it adjourn to meet at 7 o'clock, P. M., this evening.

Carried.

C. M. No. 5, praying for a military road from Gray's Bay, on Columbia river, to Fort Steilacoom, on Puget Sound,

Read first time.

On motion, rules were suspended, and

Read second time.

On motion, rules were further suspended, and

Read third time and adopted.

Mr. Lewis moved a suspension of the rules, and that H. J. M. No. 8 be read second time now.

Carried.

On motion, rules were suspended, and

Read third time and adopted.

On motion of Mr. Henness,

The Door Keeper obtained a leave of absence (for the day) from attendance upon the House.

On motion of Mr. Stiles,

House adjourned.

EVENING SESSION.

THURSDAY, DECEMBER 23, 1858

House met pursuant to adjournment.

On the roll being called the following members answered to their names :

Messrs. Biles, Caples, Catlin, Carter, Oline, Goddard, Gove, Henness, Judson, Longmire, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

On motion, the reading of the Journal was dispensed with.

On motion of Mr. Biles,

That a joint committee of two be appointed on the part of the House, to act with a like committee on the part of the Council, as the joint committee on Enrolled Bills of both Houses.

Carried.

The Speaker appointed Messrs Carter and Tennant said committee on the part of the House.

Mr. Hawk moved a reconsideration of the final vote on the passage of H. B. No. 16.

Mr. Caples moved that the motion lie upon the table ; upon which, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Caples, Carter, Cline, Gove, Judson, Purdy, Rutledge, Shead, Tennant, and Mr. Speaker—10.

Those voting in the negative were—

Messrs. Biles, Briscoe, Catlin, Goddard, Hawk, Henness, Longmire, McCall, Smith, Stiles, Sylvester, Savage, and Weed—13.

So the motion to lie upon the table was lost.

The question upon the reconsideration being called for, the yeas and nays were demanded.

Previous to taking the vote, a call of the House was had, and Messrs. Carter, Daniel, Howe and Lewis were reported absent.

Sergeant-at-Arms was instructed to bring in absent members.

On motion that a further call of the House be dispensed with, the yeas and nays were demanded, resulting as follows.

Those voting in the affirmative were—

Messrs. Biles, Goddard, Hawk, Henness, Howe, Longmire, McCall, Smith, Stiles, Sylvester, Weed, and Mr. Speaker—11.

Those voting in the negative were—

Messrs. Briscoe, Caples, Carter, Cline, Gove, Judson, Purdy, Rutledge, Shead, Savage, and Tennant—11.

So the motion was lost.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House that the Council have appointed as joint committee on Enrolled Bills Messrs. Phillips and Fales.

Mr. Henness moved a reconsideration of the vote on the suspension of the call of the House.

Lost.

The motion to reconsider being in order, was decided in the affirmative.

Mr. Henness moved that a further call of the House be dispensed with.

Lost.

The speaker being ill asked to be excused, and called Mr. Henness to the chair.

On motion, a further call of the House was dispensed with.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the introduction and passage in the Council of C. J. R. No. 4—a resolution of thanks to and confidence in the present administration and our present Delegate to Congress, I. I. Stevens.

The motion to reconsider the final vote on H. B. No. 16 carried.

On motion of Mr. Biles,

The further consideration of the bill was postponed until the second Monday of January next.

C. J. R. No. 4 read first time.

Mr. Caples moved that it lay on the table and order it printed, upon which the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Caples, Carter, Cline, Goddard, Judson, McCall, Purdy, Smith, Stiles, Tennant, and Weed—12.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Gove, Hawk, Henness, Longmire, Rutledge, Sylvester, Shead, and Savage—10.

So the motion to lay on the table prevailed.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of H. J. M. No. 5, praying for an appropriation for a military road from Baker's Bay to Port Townsend.

Mr. Carter, chairman of joint committee on Enrolled Bills, reported as follows :

The joint committee on the part of the House, acting with a like committee on the part of the Council, have compared the enrolled with the engrossed bills, and have instructed me to report the following back to the House as correctly engrossed :

H. J. M. No. 2—Relative to erecting a lighthouse at Gray's Harbor, and to survey and buoy out its bar channel ;

H. J. M. No. 3—Praying Congress to make an appropriation to construct a lighthouse at Point Roberts ;

H. J. M. No. 9—Praying for a donation of land to the Territory of Washington for railroad purposes ;

H. J. M. No. 1—Relative to a military road from Cowlitz river to the Dalles ;

H. J. R. No. 3—Relative to making Whatcom, Bellingham Bay, a port of entry ;

H. J. M. No. 4—Relative to the establishment of a lighthouse at Hood's Canal.

H. J. M. No. 7—Praying that Washington Territory be erected a separate superintendency of Indian affairs.

H. J. M. No. 5—Praying an appropriation for a military road from Baker's Bay, by Shoalwater Bay and Gray's Harbor, to Port Townsend.

C. M. No. 4—Relative to the establishment of a coal depot at Bellingham Bay.

C. M. No. 5—Praying for an appropriation for a military road from Gray's Bay, on the Columbia river, to Fort Steilacoom.

C. J. M. No. 3—Relating to the establishment of a line of military posts along the line of the emigrant road from the Missouri river to Fort Walla-walla.

C. M. No. 1—Relative to the establishment of a military road from Fort Vancouver to Fort Simcoe.

C. M. No. 3—Relating to an additional appropriation for completing the military road from Fort Walla-walla to Fort Benton.

C. M. No. 2—Relating to the extinguishment of the rights of the Hudson Bay and Puget Sound Companies.

CHAS. M. CARTER,
Chairman.

On motion, the report was accepted.

On motion, the House adjourned.

TUESDAY, JANUARY 6, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Henness, Longmyre, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Tennant, Weed and Mr. Speaker.

Journal of Thursday, December 23d, 1858, read, corrected and approved.

Second reading of bills.

H. B. No. 18, an act to encourage the destruction of cougars and wolves, read a second time.

H. B. No. 20, an act to amend an act entitled an act relating to County Assessors, read a second time, and

On motion of Mr. Biles,

Referred to the committee on Ways and Means.

H. B. No. 21, entitled an act to change the time for holding the sessions of the County Commissioners' court, read second time, and

On motion of Mr. Henness,

Referred to the committee on Ways and Means,

H. B. No. 22, entitled an act in relation to the construction of roads and highways, read a second time, and

On motion,

Referred to committee on Ways and Means.

C. J. R. taken from the table and read a second time, and

On motion of Mr. Biles,

Referred to a select committee.

The Speaker appointed Messrs. Biles, Henness, and Tennant said committee.

The Speaker presented to the House the following annual report of the Territorial Librarian, for its consideration:

REPORT OF TERRITORIAL LIBRARIAN,

FOR THE YEAR ENDING DECEMBER 31, 1858.

OLYMPIA, January 4th, 1858.

To the Hon. the Legislative Assembly

of the Territory of Washington—

GENTLEMEN:—

In accordance with the first section of the Act defining the duties of Territorial Librarian, requiring a report of the condition of the library to be made to your bodies previous to the close thereof, I beg leave to submit the following report:

I took charge of the library on the first day of February last, without, however, as is usual in such cases, having the library turned over in a formal manner to me by the former incumbent. Upon an examination of the books then in the library, and the catalogue made out by the first Librarian, I found that several books were missing and no account given as to where they could be found. I informed my predecessor of this fact, and requested him upon several different occasions to enter into an examination of the catalogue, to ascertain if all the books belonging to the library were in their proper place or where they could be found, but failed to get him to make such an examination. I then addressed a note to Mr. Mason, Secretary of the Territory, relative to this matter—a copy of which I herewith transmit: to which I received a verbal reply that Mr. Crosbie, the former incumbent, had promised him (Mr. Mason) to enter into such an examination, but which was never complied with.

[COPY OF LETTER TO MR. MASON.]

TERRITORIAL LIBRARY,
Olympia, W. T., March 26, 1858. }

HON. CHARLES H. MASON,

Secretary of Washington Territory—

SIR:—I would respectfully call your attention to the fact, that as yet the former incumbent of the office of Territorial Librarian, Henry R. Crosbie, Esq., has not, as is customary in such cases, turned over to the undersigned the books, papers, maps, charts, &c., &c., belonging to the Territorial Library, in a formal manner, although I have repeatedly requested him so to do. I further state, that from the best information I can obtain and an examination of the catalogue to which he receipted to his predecessor, that there are several books belonging to the library missing, and no account given as to where they can be found. I also find that there are several persons charged with books taken from the library more than a year ago, and no mark made of their return. In view of the above facts, I would respectfully suggest that some action be taken by which the missing books can be found, if possible, and a proper understanding of the condition of the library be determined.

I am, sir, respectfully yours,

URBAN E. HICKS,

Territorial Librarian.

After the failure of Mr. Croshie to comply with my request, I caused a notice to be published in the *Pioneer and Democrat* for three weeks, relative to this matter, of which the following is a copy:

NOTICE—ONE HUNDRED BOOKS WANTED.

ALL persons who know themselves to be in possession of any Book or Books, Papers, or Documents belonging to the Territorial Library, are requested to return them forthwith to the undersigned, or give information where they can be found.

URBAN E. HICKS,

Territorial Librarian.

TERRITORIAL LIBRARY, Olympia, April 2, 1858.

The result of the foregoing notice, together with a close enquiry made to many persons, has been to regain most of the missing volumes; yet several very important books are missing, and I am totally unable to find their whereabouts. I herewith report the list of the missing volumes as far as at present determined.

As to the present condition of the library I have to say that all is well, with the above exception. Luckily, none of the volumes composing a series of works (of which there are several) are missing, all being complete and in good condition.

The library presents a very fine assortment of miscellaneous reading matter; many of the books being from the first class authors, handsomely and substantially bound, with almost constantly fresh additions presented by the Congress of the United States, the various State Departments, and from the several States and societies of learning, which adds much to the value of the library.

The Statutes of the various States and Territories, the Law Reports and State Reports, are not so complete as might be desired; yet a fair assortment is to be found, with the exception of the State Reports, of which there are but a few scraps or volumes of series not complete, from nearly every State, which renders what few there are of not much avail. It is hoped that this part of the library will be filled up better during the present year.

I would also recommend that about one hundred volumes be added to the law branch of the library.

In conclusion, gentlemen, I shall express the hope that you will cause a better inducement to be made to the Librarian for the proper management and care of the library than has heretofore been offered. As the meagre amount allowed as salary will not justify any competent person to devote the time and attention which should be devoted, in order to keep the library in a proper and comprehensible condition. The library is now worth, and has cost several thousand dollars, and every year becoming more valuable, which calls for a proper and judicious management, but if allowed to remain in the manner it has done for the past few years will soon become deranged and lost, which will render the whole of but little use.

Respectfully, &c.,

URBAN E. HICKS,

Territorial Librarian.

LIST OF BOOKS MISSING.

HISTORY AND BIOGRAPHY.

	<i>No. Vols.</i>
Life and Correspondence of Vice Admiral Collingwood,	1
McFarland's Japan,	1
Middleton's Life of Cicero,	1
Ramsay—The other side of the Mexican War,	1

VOYAGES AND TRAVELS.

Curtis' Western Portraiture,	1
Dana—Two Years before the Mast,	1

BELLES LETTERS.

Cervante's Don Quixotte,	1
Cooper's Two Admirals,	1
De Foe—Robinson Crusoe,	1
Dickens—Dombey and Son,	1

POETRY AND DRAMATIC LITERATURE.

Bryant's Poems,	1
Brooks' Songs and Ballads,	1
Drayton's Poly-Olbion,	1
Goethe—Faust,	1
Sprague's Poetical Works,	1

SCIENCE AND ARTS.

American Ephemeris,	1
Catalogue of North American Serpents,	1
Desiccated Vegetables,	1
Yonatt and Martin—On Cattle,	1

LAW BOOKS.

Story on Partnership, (This is a very important work, and I would recommend that another copy be procured as early as possible,) 1

Total number of books missing, 20

This comprises about all that are missing, with the exception of a few pamphlets and unbound documents, and two or three small maps or charts; none of which, however, are of much importance.

**STATEMENT SHOWING THE WHOLE NUMBER OF BOOKS
PAPERS AND DOCUMENTS BELONGING TO THE
LIBRARY, AND THE NUMBER RECEIVED DURING
THE PAST YEAR.**

Whole number of volumes in the library at the date of the last annual report was two thousand nine hundred and seventy-seven, since which time there has been added to the library two hundred and fifteen volumes—consisting principally of statute laws and state papers, law reports and records, forwarded to the library by the Congress of the United States, the Departments at Washington, the Executives of the different States, and our Delegate in Congress, Hon. I. I. STEVENS, making the whole number now belonging to the library, three thousand one hundred and ninety-two.

The following is a catalogue of the Books added during the past year :

UNITED STATES DOCUMENTS.

No. Vols.

Congressional Globe, vol. 36, parts 1, 2, 3, and appendix to vol. 37,	4
Appendix to Congressional Globe of 1856-7, - - - -	2
Report of Secretary U. S. Treasury on Commerce and Navigation,	1
Commercial Relations, vols. 2 and 3, - - - -	3
Patent Office Reports for 1856, on Mechanics, - - - -	9
“ “ “ “ on Agriculture, - - - -	1

No. Volumes.

Atlas to vol. 15 of Wilke's Exploring Expedition on Botany, presented by U. S. Congress,	-	-	-	-	-	-	-	1
Plymouth Colony Records, presented by U. S. Congress,	-	-	-	-	-	-	-	6
Explorations for Railroad route from the Mississippi to the Pacific ocean, presented by Hon. I. I. Stevens,	-	-	-	-	-	-	-	10
Message and Documents for 1856-7,	-	-	-	-	-	-	-	2
" " for 1857-8,	-	-	-	-	-	-	-	3
Report on Finances, for 1856-7,	-	-	-	-	-	-	-	1
Coast Survey Report,	-	-	-	-	-	-	-	1
Statutes at large for 1857-8,	-	-	-	-	-	-	-	1

FROM SMITHSONIAN INSTITUTE.

Smithsonian Contributions to Knowledge, vol. 9,	-	-	-	-	1
Smithsonian Reports for 1855-6 and 1856,	-	-	-	-	3

STATUTES, STATE PAPERS, AND LAW REPORTS.

<i>Alabama</i> —Acts for 1857,	-	-	-	-	-	1
Documents, session 1855-6,	-	-	-	-	-	2
Senate Journal,	-	-	-	-	-	1
House Journal,	-	-	-	-	-	1
Law Reports, vol. 26,	-	-	-	-	-	1
<i>California</i> —Statutes for 1858, (duplicates,) -	-	-	-	-	-	2
Senate Journal and Appendix for 1858, (dup.)	-	-	-	-	-	4
Assembly “ “ “ (dup.)	-	-	-	-	-	4
Senate Journal for 1857,	-	-	-	-	-	1
House “ “ “	-	-	-	-	-	1
Appendix to Assembly Journal for 1857,	-	-	-	-	-	1
Wood's Digest,	-	-	-	-	-	1
Boream's Reports, vols. 6, 7 and 8, (dup.)	-	-	-	-	-	6
<i>Connecticut</i> —Public Acts, (dup.)	-	-	-	-	-	2
Private Laws,	-	-	-	-	-	1
Senate Journal,	-	-	-	-	-	1
House Journal,	-	-	-	-	-	1
New Haven Colonial Records,	-	-	-	-	-	1
<i>Florida</i> —Laws for 1858,	-	-	-	-	-	1
Acts and Resolves of General Assembly,	-	-	-	-	-	2
House Journal,	-	-	-	-	-	1
Reports, vol. 7,	-	-	-	-	-	1

	No.	Vols.
<i>Illinois</i> —Laws for 1857,	-	1
Statutes for 1858, vols. 1 and 2,	-	2
Reports, vol. 18,	-	1
<i>Indiana</i> —Acts of Assembly for 1857-8,	-	1
House Journal,	-	1
Reports,	-	1
Tanner's Reports, vol. 19,	-	1
<i>Iowa</i> —Census for 1856,	-	1
Clark's Reports, vols. 2 and 3,	-	2
Green's Equity Reports, vol. 4,	-	1
<i>Louisiana</i> —Acts for 1858, (dup.)	-	2
Annual Reports, vol. 11	-	1
<i>Maine</i> —Acts and Resolves for 1857, (unbound),	-	2
“ “ 1858, “	-	2
Reports, vols. 40 and 41,	-	2
<i>Maryland</i> —Laws for 1858,	-	1
Senate Journal and Documents,	-	1
House “ “ “	-	1
<i>Massachusetts</i> —Acts and Resolves for 1858,	-	2
Public Documents,	-	1
Library Catalogue,	-	1
Cushing's Reports, vols. 8 (dup.) and 10,	-	3
<i>Mississippi</i> —Laws for 1856-7,	-	1
Revised Code, for 1857,	-	1
Reports, (George) vol. 3,	-	1
Bell's Digest,	-	1
<i>N. Carolina</i> —Reports,	-	1
<i>N. Hampshire</i> —Laws for 1857, (triplicates)	-	3
Laws of June session, 1858, (trip.)	-	3
Senate Journal,	-	1
House “	-	1
Reports, vols. 1, 2, 3,	-	3
Twelfth annual report upon Common Schools,	-	1
Catalogue of State Library,	-	1
<i>New Jersey</i> —Laws for 1858,	-	1

	No.	Vols.
<i>New Mexico</i> —Laws for 1858,	-	1
<i>New York</i> —Annual Report of Lunatic Asylum,	-	1
<i>Ohio</i> —Laws for 1858,	-	1
School Law,	-	1
Index to Laws from 1845 to 1857,	-	1
Executive Documents for 1857,	-	1
Senate Journal,	-	1
House “	-	1
Statistics for 1857,	-	1
Reports, (Critchfield) vols. 5, 6 and 7,	-	3
Agricultural Reports,	-	1
<i>Oregon</i> —Laws of 1857, (trip.)	-	3
<i>Pennsylvania</i> —Archives,	-	12
Colonial Records,	-	16
Laws of 1858,	-	1
“Prison Discipline,”	-	1
Thirty-ninth annual report of Public Schools,	-	1
Annual report of Deaf and Dumb Institute,	-	1
Thirtieth annual report of House of Refuge,	-	1
Remarks on the Penal system,	-	1
<i>Rhode Island</i> —Acts and Resolves of 1858,	-	1
Public Laws of 1857,	-	1
Colonial Reports from 1678 to 1706,	-	1
Reports, (Ames’) vol. 1,	-	1
<i>S. Carolina</i> —Reports, (Richardson) vol. 10,	-	1
Equity Reports, vol. 8,	-	1
<i>Texas</i> —Laws of 1857–8,	-	1
Senate Journal,	-	1
House “	-	1
Reports, vols. 18 and 19,	-	2
<i>Vermont</i> —Laws of 1857,	-	1
Senate Journal,	-	1
House “	-	1
Governor’s Message,	-	1
Report of Auditor,	-	1
Report relating to Juvenile Offenders,	-	1

	No.	Vols.
<i>Vermont</i> —Report of Committee relative to the erection of a		
Monument over the grave of Ethan Allen,	-	1
Reports, (Williams,) vol. 3,	- - - -	1
<i>Wisconsin</i> —Laws,	- - - - -	1
Code, 1857,	- - - - -	1
Private Laws,	- - - - -	1
Message and Documents,	- - - - -	2
<i>Wash. Territory</i> —Acts of 1858,	- - - - -	25

MISCELLANEOUS.

Speech of Hon. I. I. Stevens, May 25, 1858.

Speech of Hon. Jas. S. Green upon the Kansas question.

Speech of Hon. I. I. Stevens upon the War Claim.

Total number of volumes added,	- - - - -	215
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On motion of Mr. Howe,

The report was laid upon the table and ordered printed.

On motion of Mr. Howe,

The House adjourned.

WEDNESDAY, JANUARY 5, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, McCall, Mannen, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Weed and Mr. Speaker.

Mr. Biles, chairman of the committee to whom was referred H. B. No. 13, made the following report:

MR. SPEAKER:—The committee on Judiciary, to whom was referred H. B. No. 13, have had the same under consideration, and beg leave to report the same back to the House, without amendment, and recommend its passage.

Also, H. B. No. 15, the committee have had under consideration, and beg leave to report the same back to the House, with amendments, and recommend its passage as amended.

J. D. BILES,

Chairman.

Mr. Henness, on leave, presented H. B. No. 24, entitled an act to grant a charter for a steam boat on Cowlitz River.

On motion of Mr. Henness,

The rules were suspended and bill read a second time.

On motion of Mr. Catlin,

The Bill was referred to Messrs. McCall, Judson and Chapman, a select committee previously appointed for the consideration of bills relative to the navigation of the Cowlitz River by steam.

On leave, Mr. Stiles presented H. B. No. 25, entitled an act relative to fencing, fence-viewers, &c.

Read first time and ordered to a second reading.

On leave, Mr. Catlin presented H. B. No. 26, entitled an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Read first time and ordered to a second reading.

On leave, Mr. Judson presented H. J. R. No. 6, relative to joint

election of Territorial officers on January 31st, 1859.

• Read first time.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of C. B. No. 2, an act appropriating money out of the Territorial Treasury to defray the expenses of cleaning and repairing the Territorial arms.

Also, the passage of H. J. R. No. 5, relative to the employment of an Enrolling Clerk.

Also, the introduction of C. B. No. 5, an act authorizing Edward L. Massey to establish and keep a ferry on Snake River.

Also, C. B. No. 6, an act to locate a Territorial road from Fort Walla-walla to Fort Colville.

Also, C. B. No. 7, an act appointing officers for Walla-walla county.

Also, C. B. No. 8, an act authorizing W. C. Holeman to establish a Ferry across the Columbia river.

Also, C. B. No. 9, an act appointing officers for Spokane county.

Also, the passage of H. J. M. No. 8.

Mr. Purdy, on leave, presented H. B. No. 27, entitled an act to define, more particularly, the boundary line between Sawamish and Thurston counties.

Read first time and ordered to a second reading.

Second reading of bills.

— H. B. No. 19, entitled an act to amend an act entitled an act to provide for the assessing and collection of county and Territorial revenue.

Read a second time, and

On motion of Mr. Henness,

Referred to committee on Ways and Means.

Third reading of bills.

H. B. No. 18, an act to encourage the killing of cougars and wolves,
Was taken from the table.

Mr. Catlin moved to amend by striking out the word "five," and insert "one," in the third line. Also, in the 4th line, strike out the words "one dollar and fifty cents" and insert "twenty-five cents."

Carried.

On motion of Mr. Henness,

H. B. No. 18 was indefinitely postponed.

H. B. No. 15, an act to confer civil jurisdiction on Judges of Probate,

Read a third time and passed, and title agreed to.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of H. B. No. 7, an act to amend an act entitled an act to create the office of Wreck Master and defining his duties.

Also of the passage of H. J. R. No. 5, relative to the employment of Enrolling Clerk.

Also of the passage of H. J. R. No. 8, praying for an additional appropriation to complete the military road from Fort Steilacoom to Fort Bellingham.

H. B. No. 13, entitled an act to construe an act entitled an act to amend an act respecting executors, administrators, and the distribution of real and personal property.

Read a third time and passed, and title agreed to.

The majority and minority reports of the select committee to whom was referred H. B. No. 6, were taken from the table and made the special order of the day on January 17th.

BUSINESS FROM THE COUNCIL.

C. B. No. 2, entitled an act appropriating money out of the Territorial Treasury for the cleaning and repairing of the Territorial arms.

Read first time and ordered to a second reading.

The Speaker presented to the House the following report of the Territorial Treasurer:

REPORT OF TERRITORIAL TREASURER.

TERRITORIAL TREASURER'S OFFICE,
Olympia, W. T., Dec. 22, 1858. }

To the Legislative Assembly of the Territory of Washington:

In accordance with provisions of law I herewith submit the following report:

D. L. PHILLIPS, Territorial Treasurer,
in account with Territory of Washington,

1858.	Dr.
March 1. To cash received from Wm. Cock, former Treasurer,	\$14 99
" 9. To cash from Treasurer of Lewis county,	149 75
June 5. " " " Sawamish county,	9 22
" 9. " " " Thurston county,	85 18
" 9. " " " King county,	56 16
" 17. " " " Jefferson county,	11 99
" 22. " " " Whatcom county,	11 77
" 22. " " " Pierce county,	750 00
July 24. " " " Chehalis county,	14 94
" 31. " " " Cowlitz county,	260 20
Nov. 25. " " " Thurston county,	497 44
Dec. 2. " " " Sawamish county,	9 00
" 4. " " " Clarke county, for 1857,	74 77
" 4. " " " Clarke county, for 1858,	150 75
" 9. " " " Wahkiakum county,	20 00
" 22. " " " Jefferson county,	60 75
Total,	\$2,176 91

D. L. PHILLIPS, Territorial Treasurer,
in account with Washington Territory,

On account of moneys disbursed.

1858.	Cr.
March 10. By cash paid on warrant No. 8, of 1858,	100 00
" 13. " " " No. 9, "	36 27

April 27.	By cash paid on warrant	No. 15, of 1858,	3 88
" 27.	" " "	No. 14, "	12 50
June 14.	" " "	No. 11, "	229 00
" 22.	" " "	No. 7, "	100 00
" 26.	" " "	No. 13, "	20 00
" 26.	" " "	No. 10, "	272 25
" 30.	" " "	No. 16, "	150 00
July 16.	" " "	No. 12, "	96 66
Sept. 30.	" " "	No. 17, "	150 00
Dec. 20.	By cash paid U. E. Hicks, as salary as Territorial Auditor for 1858,		25 00
Dec. 20.	By cash by D. L. Phillips, Territorial Treasurer, as per centage on receipts and disbursements at 2 per cent,		67 15
Total,*			<u><u>\$1,262 71</u></u>

Leaving a balance in treasury, Dec. 22, 1858, of \$914 20

According to the records of this office, there was deposited, in December, 1856, by Hugh Hunter, Administrator on the estate of George Brown, deceased, late of Pierce county, W. T., the sum of \$101 74, which, under the then existing law, escheated to the Territory; and as such I have placed it to the credit of the territory on the books of this office, and this increases the sum on hand to \$1,015 94.

All of which is respectfully submitted,

D. L. PHILLIPS,

Territorial Treasurer.

On motion of Mr. Howe,

The report was laid upon the table and ordered printed.

On motion, House adjourned.

THURSDAY, JANUARY 6, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names :

Messrs. Biles, Chapman, Catlin, Gove, Hawk, Howe, Henness, Judson, Longmire, Lewis, McCall, Purdy, Rutledge, Smith, Sylvester, Shead, Savage, Tennant, and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Tennant presented the petition of Wm. L. Spears and seventy-two others, praying for a grant for a ferry across the Nootsack river.

On motion, referred to a select committee of three.

The Speaker appointed Messrs. Tennant, Henness and Lewis said committee.

On leave, Mr. Lewis presented H. J. M. No. 9, praying for the establishment of a military road from Seattle, on Puget Sound, *via* Snoqualmie Pass, to Fort Colville.

Read first time.

On motion, referred to committee on memorials.

Mr. Tennant, of the committee to whom was referred C. J. R. No. 4, extending the thanks of the legislature to the present administration, Gov. Stevens, &c., on the part of the majority, report the same back to the House without amendment, and recommend the passage of the resolution.

Mr. Biles, of the minority, presented the following report :

MR. SPEAKER :—The special committee of three, to whom was referred C. J. R. No. 4, having had the same under consideration, and inasmuch as one of said committee has dissented from the views of the majority, the undersigned respectfully ask leave to submit a minority report, accompanying which are the annexed amendments, which your committee recommends the passage of, for the following reasons :

1st. Your committee is at a loss to know by what precedent the Council possessed themselves of, whereby they proclaim to the world that that body are the popular representatives of the people of this Territory, and coolly ask this House to concur in such proclamation. Your committee entertains the opinion that were it necessary to draw such a line of

distinction between the two branches of this Legislature, the House certainly have the best claims, and in fact history teaches us that in all state or territorial legislative bodies, the House are the popular representatives of the people of such state or territory ; however, be that as it may, your committee disclaims all or any aspirations on that score.

2d. Your committee, for one, cannot look forward with the same degree of confidence as expressed in the second resolve, that Hon. I. I. Stevens' services and acts have been for the best interest of this territory; nor is your committee assured that he will in future do all for the advancement of all the interests with which this portion of the United States possessions are identified. To feel assured, (as expressed in the resolution,) we would to be endowed with a power that none of us possess, viz: to foresee fully the future. For these reasons your committee recommend that the second resolve be stricken out.

J. D. BILES,
Chairman.

On leave, Mr. Henness presented H. J. R. No. 7, relative to the payment of Enrolling Clerk.

Read first time.

On leave, Mr. Carter presented H. B. No. 28, an act entitled an act to amend an act to provide for the selection and location of new townships of land to aid in the establishment of a university.

Read second time.

BUSINESS FROM THE COUNCIL.

C. B. No. 2, an act appropriating money out of the territorial treasury to defray the expenses of cleaning and repairing territorial arms,

Read second time.

On leave, Mr. Chapman presented H. B. No. 29, an act declaring all military road in this Territory territorial roads.

Read first time.

On motion, the House adjourned.

FRIDAY, JANUARY 7, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmire, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage in the Council of C. B. No. 4, an act to locate a territorial road from Monticello to the Upper Cascades.

Also, the passage of C. B. No. 5, authorizing E. L. Massey to establish a ferry on Snake river.

Also, the passage of C. B. No. 6, an act to locate a territorial road from Fort Walla-Walla to Fort Colville.

Also, the introduction of C. B. No. 10, an act appointing officers for Spokane county.

Also, the introduction of C. B. No. 11, an act relative to instructions by the court in the trial of civil causes.

Mr. Stiles, chairman of the committee on Ways and Means, to whom was referred H. B. No. 23, an act to provide for the collection of county and territorial revenue, reported as follows :

The committee on Ways and Means, to whom was referred H. B. No. 23, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments, and recommend the passage of the bill as amended : That section three, second line, be amended by striking out "October" and inserting "November."

C. C. STILES,
Chairman,

Mr. McCall, chairman of the select committee, to whom was referred H. Bs. No. 4, 11 and 24, relative to the navigation of the Cowlitz river by steamboat companies, reported as follows :

MR. SPEAKER :—The majority of the committee, to whom was referred H. Bs. No. 4, 11 and 24, relative to navigating the the Cowlitz river by steam, have had the same under consideration, and recommend the passage of H. B. No. 4, an act to incorporate the Cowlitz Steam Navigation Company ; also, the indefinite postponement of H. Bs. No. 11 and 24, relative to the same subject matter.

CHARLES McCALL,

Chairman.

Mr. Howe, chairman of the select committee, to whom was referred the resolution relative to mail services on Puget Sound, reported H. J. R. No. 8, relative to mails on Puget Sound.

Mr. Tennant, of the select committee appointed to consider the petition of C. C. Vail, asking for a ferry across the Nootsack river, reported the same back to the House with the accompanying bill—H. B. No. 3, an act to authorize C. C. Vail to establish a ferry across the Lummi or Nootsack river.

Read first time.

On leave, Mr. Caples presented H. B. No. 31, an act to correct and amend an act entitled an act relative to Prosecuting Attorneys.

Read first time.

On leave, Mr. Shead presented H. B. No. 32, an act to locate a territorial road from Yelm Prairie, in Thurston county, to a point on the Nachess river where the military road leaves the same.

Read first time.

Second reading of bills.

H. B. No. 25, an act relating to fences and fence reviewers.

Read second time.

H. B. No. 26, an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Read second time ; and,

On motion of Mr. Howe,

Referred to the committee on Judiciary.

H. B. No. 27, an act to define the line between Sawamish and Thurston counties,

Read second time ; and,

On motion of Mr. Weed,

Referred to the committee on Counties.

H. B. No. 29, an act declaring all military roads in the Territory of Washington territorial roads,

Read second time ; and,

On motion, referred to the committee on Roads and Highways.

The report of the chairman of the committee on H. B. No. 23, an act to provide for the collection of county and territorial revenue, was taken from the table, and the amendment recommended by the committee adopted.

Mr. Rutledge moved to amend by striking out the word "January" in section four, fourth line, and insert the word "May."

Mr. Catlin moved the indefinite postponement of the bill.

Mr. Howe moved to lay on the table ; which motion prevailed.

The report of the committee on H. B. No. 11, an act to incorporate the Cowlitz Steam Navigation Company No. 2, recommending the indefinite postponement of the bill ; and,

On motion, the report of the committee was adopted—which indefinitely postponed the bill.

The report of the select committee, to whom was referred H. B. No. 24, an act to grant a charter to H. Winsor to navigate the Cowlitz river by steam.

On motion that the report of the committee be adopted, lost.

On motion, the bill was laid upon the table.

BUSINESS FROM THE COUNCIL.

C. B. No. 6, an act to locate a territorial road from Fort Walla-Walla to Fort Colville.

Read first time.

C. B. No. 5, an act authorizing E. L. Massey to establish a ferry across Snake river.

Read first time.

C. B. No. 4, relative to a territorial road from Monticello to the Cascades,

Read first time.

Mr. Biles moved that when the House adjourn it adjourn to meet at 10 o'clock, A. M., on Monday next.

On motion that the House adjourn now, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Judson, Lewis, Mannen, McCall, Purdy, Smith, Stiles, Sylvester, Savage, Weed, and Mr. Speaker—19.

Those voting in the negative were—

Messrs. Gove, Hawk, Henness, Longmire, Rutledge, Shead, and Tennant—7.

House adjourned.

MONDAY, JANUARY 10, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Catlin, Carter, Cline, Goddard, Gove, Hawk, Judson, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennat, Weed, and Mr. Speaker.

Journal of Friday read and approved.

Mr. Mannen presented a petition from F. Daulne and 94 other signatures, praying for a charter to be granted Henry Winsor for the exclusive right to navigate the Cowlitz river by steam.

On motion of Mr. Stiles,

The petition was referred to the committee on Corporations.

On leave, Mr. Weed presented H. J. M. No. 10, praying for an additional compensation per mile for surveying public lands in Washington Territory.

On motion, referred to committee on Memorials.

Mr. Stiles, chairman of the committee on Ways and Means, to whom was referred H. Bs. No. 19, 20 and 21, reported that the committee had had the same under consideration, and had instructed him to report the same back to the House without amendment, and recommend that they pass.

Mr. Caples, chairman of the committee on Memorials, to whom was referred H. J. M. No. 9, relative to a military road from Seattle to Fort Colville, reported the same back without amendment, and recommend that it pass.

Mr. Goddard, chairman of the committee on Counties, presented the following report :

The committee to whom was referred H. B. No. 27, an act to define the boundary line between Sawamish and Thurston counties, beg leave to report the same back without amendment and recommend its passage.

J. H. GODDARD,

Chairman.

Second reading of bills.

H. B. No. 28, an act to amend an act to provide for the selection and location of two townships of land to aid in the establishment of a university.

Read second time ; and,

On motion of Mr. Hennessy,

Was referred to committee on Education.

On leave, Mr. Rutledge presented H. B. No. 33, an act to prevent white men from having intercourse or cohabiting with squaws.

Read first time

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of H. B. No. 8, an act to locate a territorial road from Skookum Bay to the head-of-tide water of the Chehalis river, with amendments.

Also, the passage of C. B. No. 7, an act appointing officers for Walla-Walla county.

Also, C B. No. 9, an act appointing officers for Spokane county.

H. B. No. 30, an act to authorize C. E. Vail to establish a ferry across Lummi or Nootsack river, read second time.

Mr. Howe moved to amend by striking out the word "ten," in the eighth line, and insert "three."

Mr. Tennant moved to amend by inserting "five" instead of "three," upon which the yeas and nays were taken, resulting as follows :

Those voting in the affirmative were—

Messrs. Caples, Carter, Cline, Hawk, Henness, Longmire, McCall, Smith, Sylvester, Shead, and Tennant—11.

Those voting in the negative were—

Messrs. Biles, Briscoe, Catlin, Chapman, Goddard, Gove, Howe, Judson, Lewis, Mannen, Purdy, Rutledge, Stiles, Savage, Weed, and Mr. Speaker—17.

So the amendment to the amendment was lost.

The yeas and nays being demanded on the previous amendment, resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Goddard, Gove, Howe, Judson, Lewis, Mannen, Purdy, Rutledge, Smith, Stiles, Shead, Savage, Weed, and Mr. Speaker—20.

Those voting in the negative were—

Messrs. Cline, Hawk, Henness, Longmire, McCall, Sylvester, and Tennant—7.

So the amendment prevailed.

H. B. No. 31, an act to correct and amend an act entitled an act relative to Prosecuting Attorneys, read second time ; and,

On motion of Mr. Catlin,

Referred to the committee on Judiciary.

Mr. Henness stated to the House that Mr. Daniel was unable to attend at the House of Representatives on account of sickness, and moved that it be so recorded upon the Journal ; which motion prevailed.

H. B. No. 32, an act to locate a territorial road from Yelm Prairie to the Naches river, read second time ; which,

On motion of Mr. Shead,

Was referred to the committee on Roads and Highways.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of C. B. No. 10, an act appointing officers for Skamania county.

Also, the passage of C. M. No. 6, praying for a lighthouse at Sandy Point.

Also, the introduction of C. B. No. 12, an act declaring the road from Fort Simcoe to Fort Dalles a territorial road.

Also, the introduction of C. B. No. 13, an act declaring the military road leading around the Cascade Falls a territorial road.

Mr. Caples in the chair.

H. J. R. No. 6, relative to the election of territorial officers, read second time ; and,

On motion of Mr. Henness,

Referred to the committee on Elections.

H. J. R. No. 7, relative to the payment of enrolling clerk, read second time.

Mr. Catlin moved that it be indefinitely postponed.

Lost.

On motion that it be read third time now,

Carried.

So H. J. R. No. 7 was read third time and passed.

H. J. R. No. 8, relative to the mails on Puget Sound, read second time ; and,

On motion of Mr. Howe,

Referred to the committee on Memorials, with instructions to report to-morrow morning.

BUSINESS FROM THE COUNCIL.

C. B. No. 2, an act appropriating money out of the territorial treasury to pay for cleaning and repairing the territorial arms,

Read third time.

The question being shall this bill pass, was agreed to.

So the bill passed and title agreed to.

The majority and minority reports of committee to whom was referred C. R. No. 4, tendering thanks to the administration, Gov. Stevens, &c., were taken from the table.

Mr. Howe moved to refer the resolution, with reports, to committee on Judiciary.

Mr. Catlin moved to lay the motion to refer on the table.

Upon which the yeas and nays were demanded, which resulted as follows:

Those voting in the affirmative were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Henness, Longmire, Lewis, McCall, Rutledge, Sylvester, Shead, Savage, and Tennant—14.

Those voting in the negative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Howe, Judson, Mannen, Purdy, Smith, Stiles, and Weed—12.

So the motion to lay the motion to refer on the table carried.

Mr. Briscoe moved that the majority report be adopted.

Upon which the yeas and nays were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Henness, Longmire, Lewis, McCall, Rutledge, Sylvester, Shead, Savage, and Tennant—14.

Those voting in the negative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Howe, Judson, Mannen, Purdy, Smith, Stiles, and Weed—12.

So the motion to adopt the majority report prevailed.

Mr. Howe moved that C. R. No. 4 be laid upon the table and made the special order of the day on the 15th of January.

Upon which the yeas and nays were demanded, and resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Goddard, Howe, Judson, Mannen, Purdy, Smith, Stiles, and Weed—12.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Cline, Gove, Hawk, Henness, Longmire, Lewis, McCall, Rutledge, Sylvester, Shead, Savage, and Tennant—14.

So the motion to lay upon the table was lost.

Mr. Howe moved that the House do now adjourn

Upon which the yeas and nays were demanded, and resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Howe, Judson, Mannen, McCall, Purdy, Smith, Stiles, and Weed—14.

Those voting in the negative were—

Messrs. Catlin, Goddard, Gove, Hawk, Henness, Longmire, Lewis, Rutledge, Sylvester, Shead, Savage, and Tennant—12.

So the House adjourned.

TUESDAY, JANUARY 11, 1859

House met pursuant to adjournment

On the roll being called, the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmire, Lewis, Mannen, McCall, Pur-

dy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

On leave, Mr. Longmire presented H. J. M. No. 11, praying for the construction of a bridge across Nisqually river.

Read first time.

On leave, Mr. Lewis presented H. J. M. No. 12, relative to the navigation of White and Dewamish rivers.

Read first time.

Mr. Stiles, chairman of the committee on Ways and Means, to whom was referred H. B. No. 22, an act in relation to the construction of Highways, &c., made the following report:

The committee of Ways and Means, to whom was referred H. B. No. 22, have had the same under consideration and have instructed me to report the same back with the following amendments

In section 1, third line, strike out the word "district" and insert the word "probate."

In section 11, eleventh line, strike out the word "or" and insert the word "is."

In section 12, ninth line, after the word "road" insert "navigable waters."

In section 13, seventh line, strike out the word "district" and insert the word "probate."

In sections 16, sixteenth line, after the word "name" insert "and said Supervisor shall qualify within ten days after his election or appointment."

In section 24, eleventh line, strike out the word "district" and insert the word "probate."

In section 26, fourth line, strike out the words "in the purchase of" after the word "district."

In section 33, second line, strike out [all] after the word "given."

In second 37, fourth line, strike out all of said section after the word "cases."

In section 42, second line, after the word "collected" insert "in such district."

In section 43, first line, after the words "acts" insert the words "heretofore passed."

C. C. STILES,

Chairman.

Mr. Purdy, chairman of the committee on Corporations, made the following report :

MR. SPEAKER :—The committee on Corporations, to whom was referred the petition of H. Winsor, praying for the grant of a charter to navigate the Cowlitz river by steam, have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it be laid upon the table.

F. C. PURDY,

Chairman.

Mr. Carter, chairman of the committee on Education, made the following report :

The committee to whom was referred H. B. No. 28, an act entitled an act to amend an act to provide for the selection and location of two townships of land to aid in the establishment of a university, have had the same under consideration, and have instructed me to report the same back without amendment and recommend that it pass.

CHAS. M. CARTER,

Chairman.

Mr. Biles, chairman of the committee on Judiciary, made the following report :

MR. SPEAKER :—The committee on Judiciary, to whom was referred H. B. No. 26, an act to amend an act relative to elections and the mode of supplying vacancies, have had the same under consideration, and have instructed me to report the same back and recommend that the bill be indefinitely postponed.

Also, that the committee on Judiciary, to whom was referred H. B. No. 31, have had the same under consideration, and recommend that it pass.

J. D. BILES,

Chairman.

Mr. Rutledge, chairman of the committee on Roads and Highways, made the following report :

The committee on Roads and Highways, to whom was referred H. B. No. 29, an act declaring all military roads in the Territory of Washington territorial roads, have had the same under consideration, and have instructed me to report the same back without amendment and recommend that it pass.

Also, the committee on Roads and Highways, to whom was referred H. B. No. 32, an act to establish and locate a territorial road from Yelm Prairie to the Naches river, have had the same under consideration, and report the same back without amendment and recommend that it pass.

WM. RUTLEDGE,
Chairman.

Mr. Caples, chairman of the committee on Memorials, made the following report :

The committee on Memorials, to whom was referred House Joint Resolution No. 8, relating to mails on Puget Sound, have had the same under consideration, and find from an examination of the papers within the reach of your committee, that the allegations set forth in the preamble to said resolutions are well founded, and that the inhabitants depending upon those contractors for the regular delivery of the mails have just and well grounded reasons to complain. Your committee, therefore, have instructed me to report the resolution back to the House without amendment, and recommend that it do pass.

Also, H. J. M. No. 10, praying for an increase of the compensation for surveying the public lands, and have instructed me to report the same back to the House without amendments and recommend that it do pass.

H. L. CAPLES,
Chairman.

The following are the papers alluded to by the committee, in relation to H. J. M. No. 8 :

COVELAND POST OFFICE,
Washington Territory, Dec. 19, 1858. }

SIR:—

Your communication of the 13th inst., came duly to hand.

With regard to reporting on the manner of how our mail operations are carried on, I scarcely know where to commence, as it has been a series

of failures since it was first established and carried by the present contractors. I have reported to Mr. Thompson, (who was Postal Agent for Oregon and Washington Territories,) and also to the Department at Washington; and in both cases failed to receive any notice of my communications.

Our mails (as you are aware) are delivered at Ebey's Landing, (four miles from the office,) where the contractors consider it practicable to land them, and very frequently the steamer passes down without even attempting to land at all, which deprives us of our weekly mail, and on her return trip delivers two week's mails; and our return mails remain on the Island very often from two to three weeks.

The mails, after being delivered on the Island, invariably remain in the hands of private individuals twenty-four hours before it's delivered at this office.

I would also call your attention to the fact that the mail is frequently delivered in bags without being locked; and last Sunday's mail I received tied up in a paper parcel, after being culled over by other parties—the post office being an after consideration. The mail has been delivered but twice according to contract since I have been in office.

If anything can be done in this matter I trust it will be done speedily, and put a stop to such carelessness and negligence, and have some stated time for the arrival and departure of our mails.

Hoping this will answer the wishes of your committee;

I remain,

Yours, respectfully,

F. CRANNEY,

Postmaster.

To Hon. S. D. HOWE,

Chairman Special Com. on Postal Affairs, Olympia, W. T.

CAMP SIMLAHMOO, W. T.,
December 27, 1858. }

SIR:—

I have received your letter of the 13th inst., and in reply have to state that the mails to and from this place are delivered with the utmost irregularity. In a number of instances we have been obliged to depend

upon transient vessels or our own boats to carry the mails; otherwise we would have been subjected to indefinite delays in waiting for the steamer.

The "Constitution" has discontinued her trips for the present, and the "Resolute," which came in her place on the last trip, was in a disabled condition, and how the mail which is due here next Thursday, will be delivered, is more than we know. I am sending the mail to-day by a sailing vessel, as there is no certainty when we will have a steamer here.

Very respectfully, yours,

WM. J. WARREN.

Hon. S. D. Howe,
Member of Legislature
of Territory of Washington.

PORT TOWNSEND,
Washington Territory. }

Sir:—

Yours was received by hands of Turner. Accompanying you will find statements of the arrival and departure of the mails at this place. This office not being at the end of any route, we are not compelled to keep an account exact of the time that the mail arrives or departs, but I have sent a statement of the date of way-bills received and sent, which I suppose will answer your purpose.

It is necessary that the Legislature should take some steps in the matter, for the contractors have no idea of the accommodation of the public, but only for their own pocket. I hope you will petition for the mail to be brought direct from San Francisco, and allow the steamer to make no stoppages, as it is the only way that we can get mail promptly, and the steamer on her return can connect with the mail bound for the Atlantic States.

Respectfully yours,

J. J. H. VAN BOKKELIN,

Postmaster.

[LETTER TO POSTMASTER AT OLYMPIA.]

POST-OFFICE DEPARTMENT,
March 19, 1857. }

SIR—

The Postmaster-General has ordered a contract with Hunt & Scranton to carry the mails weekly each way, between Olympia and Whatcom, by the way of Steilacoom, Seattle, Port Madison, Tekalet, Port Ludlow, Port Townsend, Penn's Cove, New Dungeness, and such other places on the route as he may direct, in good and sufficient steamers of the first class, suitable for war purposes, from August 1st, 1857, till August 1st, 1861, by the following schedule:—Leave Olympia, Friday at 4 P. M.; arrive at Whatcom, Mondays by 4 P. M.; leave Whatcom, Tuesday at 10 A. M.

Report when the service commences.

Respectfully,

W. H. DUNDAS,
Second-Assistant Postmaster-General.

[REPLY OF MESSRS. HUNT & SCRANTON.] . .

MR. CHAIRMAN:—

A hearing having been accorded to the undersigned, mail contractors on Puget Sound, in relation to the matter contained in House Joint Resolution No. 8, now referred to a committee of the Council, we would respectfully submit as follows:

It is true that, by an act of Congress, approved March 3d, 1857, the Postmaster-General was directed to contract for the conveyance of the mails on Puget Sound—the service to be performed in a first class steamer, suitable for war purposes, and that the service was to commence on August 1st, 1857.

It is alleged in the resolution that the contractors grossly violated the terms of their contract in not placing upon the route a steamer of the first class, and suitable for war purposes. To this we have to say, that we placed upon the Sound a steamer thoroughly fitted in every regard for the security of the mails—well found and provided for the comfort and safety of what passengers she might carry, and fully capable of serving for

any ordinary purposes of war. The only objection made at the time of her arrival on the Sound, was—she was too large for the business on these waters, her tonnage being nearly 600 tons.

This steamer was continued in the service, giving almost universal satisfaction to the people of the territory, until February, 1858, when a difficulty, wholly unexpected and consequently unprovided for, took her from us for a time.

The existence of these facts would scarcely seem to justify the use of such strong language as that in the third clause of the resolution.

Again, it is alleged that the contractors are not the owners of a steamer, and have to rely principally on the charter of a steamer of an inferior class, &c.

Neither the law nor the contract under it, requires that contractors should own a steamer. We have the right therefore to depend on charter altogether for the performance of the service—but the allegation is not true as to the ownership of a steamer, and we rely principally upon the commodious steamer first placed upon the route—which again carried the mail from May, 1858, to the present time, except two short periods she was laid up to repair accidental damages.

The statement that the contractors depend principally upon a steamer of an inferior class, loses much of the force it seemingly carries upon its face. It should be taken into consideration that a steamer of the size of the one now employed in the mail service; is an expensive piece of property, and few parties could afford the investment of more than one to carry out a contract, the compensation for the whole term of which would not pay the cost of two, one being sufficient under ordinary circumstances, to fulfill the terms of such contract.

It is well known to the committee that difficulties exist with regard to the repair or replacing of machinery in the event of accident. We are unprovided on the Sound with a foundry or machine shop at which any important piece of machinery could be cast or made. We must therefore depend on San Francisco for what we may require. Owing to the short time between the arrival and departure of the mail steamers, both here and at San Francisco, an order requires four weeks for its fulfillment, and that delay is almost unavoidable.

Accidents to steamers on the Sound are as likely to occur as those on other inland waters, and the difficulties and delays in repairing them, exist here as we have stated. During all the delays arising from these causes, the best means of supplying the place of the steamer laid up have been resorted to.

The largest steam vessel on the Sound, viz: the "Resolute," 132 tons register, has been employed, and five hundred dollars per week paid Mr. G. A. Meiggs, her owner, for her use. This sum exceeds the mail pay. The person in charge of the "Santa Cruz" was applied to while on the Sound, but declined, as the vessel was under charter to him, which expired at San Francisco on the 17th of the present month. When the "Resolute" was out of order, a still smaller steamer, the "Ranger," and the only other one on the Sound, was employed. She failing, even canoes and boats were resorted to.

To obviate these difficulties which a short experience had shown us existed, another steamer was projected and is now in course of construction; her machinery, of the most approved pattern and manufacture, has been purchased; she will be perfectly appointed in all her parts. A very large sum of money has already been expended on her. Parties, citizens and long resident of the Territory, entirely identified with its success, are deeply interested pecuniarily with the contractors, and the successful and early completion of this steamer is assured.

Another cause of complaint alleged in the resolution, and we think the principal one, is: "That the mail is not delivered at Penn's Cove as contemplated by said act of Congress."

For the information of the committee we will state: that at the signing of the contract it was distinctly understood that we should not be *obliged* to land at Penn's Cove.

The position of the landing at Ebey's was shown to the Department on the Chart, and we agreed to carry it from thence to Coveland by a sworn mail carrier at our own expense. This we have done; the carrier is one of the most respectable citizens of Island county, and occupying an honorable trust under the Federal Government. He has, we believe, performed the service faithfully, and has received his pay for more than fifteen months.

Both the Postal Agents, viz: Mr. Thompson and Mr. Norris, visited the whole route and examined into this very complaint, and both officially stated to us we were not required to go with the steamer to Penn's Cove, as it was not the intention of the Department that one section of the Territory should be served as they might deem it to their interests, when such service would work a delay or injury to all the rest.

The contractors are not aware of any instance in which the residents around the Coveland office have been unable to connect with the California steamer; if such be the case, we should not be made to suffer, as our contract says nothing of such a connection. The San Francisco mail service not having been in existence when our contract was signed.

We have the quarterly receipts of Mr. Cranney, the Postmaster at Coveland, from the commencement of the contract to Oct. 1st, 1858, in which it is stated we have complied with its terms except in landing the mails at "Ebey's" instead of Penn's Cove—a copy of the last quarterly receipt will be found annexed.

In the report of the committee of the House are but three letters from Postmasters annexed; there are eleven Post Offices and Postmasters on the Sound; of the three from whom the letters come, one is Mr. Cranney, a copy of whose quarterly receipt is annexed; another is Major Van Bokkelen at Port Townsend, who does not even allude to our contract or service—his letter referring entirely to the P. M. S. S. Co., and we should not be held accountable for their failures; the third from Mr. Warren, Postmaster at Semiahmoo, a place unknown to us at the time of signing the contract, and one for which, as our contract stands, we cannot be held accountable for failures of service.

In view of all these facts stated, the remoteness of this region from the long settled portions of the country; the impossibility of making any important repairs in machinery in the Territory in case of accident; the energy and outlay on the part of the contractors and their associates in carrying the mail at an expense of often more than full contract pay; the heavy expenditure already incurred, to remedy all defects, and to facilitate the carriage of the mails and the transportation of passengers in future—it is ardently hoped and trusted that your honorable body will not deem it just or equitable to all parties concerned that the resolution now before you should go on to the Department, to embarrass the contractors, and divert their energies and attention from the accomplishment of a work projected and already in a stage of successful progress, and for the completion of which they have struggled long and labored hard.

All of which is respectfully submitted,

HUNT & SCRANTON,

Mail Contractors.

MAIL SERVICE IN WASHINGTON TERRITORY.

I HEREBY CERTIFY, That James M. Hunt and John H. Scranton, contractors on route No. 12,730, from Olympia to Coveland, have carried the United States Mail in a safe and secure manner; that they have received and delivered the same at this office, at or within the time contemplated by, or specified in their contract with the United States, and have

in all other respects, so far as the undersigned knows, complied with the terms of said contract, for the Quarter ending October 1st, 1858.

F. CRANNEY,

Postmaster.

Mails landed at Ebey's Landing.

The following is a letter from Mr. B. J. Madison, of New Dungeness, W. T., to Hon. S. D. Howe, Representative of Island county, and reply thereto by Messrs. Hunt & Scranton:

NEW DUNGENESS, W. T.,
December 30, 1858. }

Mr. HOWE—DEAR SIR :

Your letter of the 13th last, addressed to Postmaster, was left with me at the light-house. We have no postmaster, so I take the liberty of reading your letter and answering the request.

We have very just cause of complaining of the irregularity, and also of the manner. I give below the days on which the steamer has touched at New Dungeness High Station, which is three miles from the post-office:

The Constitution brought the mails from the first time, May 30th, 1858, June 8th and 9th; July 5th and 13th; August (Resolute) 24th and 30th; September (Constitution) 6th, 13th, 20th and 28th; October 12th and 18th; November 7th; December 4th; (Resolute,) 26th. This list was handed me for your information by the light keeper, Capt. Boling, at this station.

We wish the steamer or contractors to leave the mails at the post office.^a But this would cause them some delay. We would be better served than we are at present if the contractors would have some one ashore whose duty it might be to take off our mail to the steamer and bring ashore that brought down.

For further particulars, I will refer you to Mr. Cline, who has been doing the duties of Deputy Postmaster.

Respectfully,

B. J. MADISON.

The letter of Mr. B. J. Madison, from New Dungeness, was handed us by the chairman of your committee after the foregoing was written. With regard to it, we have only to say the suggestion contained in it was never made us before, and we suppose all persons at Dungeness conceded

the light-house was the only point at which a mail steamer could land the mail, as our contract does not oblige us to go more than one-quarter of a mile inland to any post-office.

The list of arrivals and departures from Capt. Boling, are as far as his knowledge extends; but the "Constitution" was landing and receiving mail matter at Dungeness while he was in charge of the brig Willimantic. The order for the landing of the mails at Dungeness is a comparatively late one from the department, although we have continued to land them since first coming on the Sound. There is no postmaster, and private citizens frequently bring to and carry from Port Townsend the mail matter for Dungeness, leaving us nothing to do there.

Respectfully,

HUNT & SCRANTON.

Mr. Catlin, chairman of the committee on Elections, made the following report :

The committee on Elections, to whom was referred H. J. R. No. 6, relative to the election of territorial officers, have had the same under consideration, and have instructed me to report the same back with amendments, and recommend its passage as amended.

JOHN CATLIN,

Chairman.

On leave, Mr. Rutledge presented H. B. No. 34, an act to prevent stud-horses, jackasses and ridglins from running at large.

Read first time.

Second reading of bills.

H. B. No. 33, an act to prevent white men from having intercourse with or cohabiting with squaws,

Read second time.

C. B. No. 4, an act to locate a territorial road from Monticello to upper Cascades,

Read second time ; and,

On motion of Mr. Caples,

Referred to the committee on Roads and Highways.

C. B. No. 6, an act to locate a territorial road from Fort Walla-Walla to Fort Colville,

Read second time.

Mr. Biles moved to amend in section 4, third line, by striking out the word "five" and insert the word "three."

Carried.

On motion, the bill was laid upon the table.

C. B. No. 5, an act authorizing E. L. Massey to establish a ferry on Snake river,

Read second time.

Mr. Smith moved to amend by inserting after section 3, "provided, however, that the said E. L. Massey, his heirs or assigns, shall not charge more than one-half of the aforesaid rates of ferriage to emigrants crossing the plains with the intention of settling on this coast."

On motion, the amendment was adopted.

Mr. Henness moved to amend in the 1st section, sixth line, by striking out the word "ten" and insert "five."

Lost.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of H. J. R. No. 7, relative to enrolling clerk, with amendments.

Mr. Tennant moved to amend the 1st section, sixth line, by striking out "ten" and insert "six."

Carried.

Mr. Briscoe moved that the rules be suspended, and that now be assigned as the time for the third reading of the bill.

Mr. Massey being present, on motion, he was admitted within the bar of the House to answer questions relative to the character of the stream, the probable force it would require to maintain a ferry at that point, to protect it from Indians, &c.

The motion to suspend rules prevailed, and C. B. No. 5 was read third time, passed and title agreed to.

On motion, the clerk was instructed to report the passage of C. B. No. 5 to the Council.

The Speaker presented the annual report of the Territorial Auditor.

OFFICE OF TERRITORIAL AUDITOR,
OLYMPIA, W. T., January 4th, A. D., 1858. }

*To the Hon. the Legislative Assembly
of the Territory of Washington—*

GENTLEMEN:—

In compliance with the act defining the duties of Territorial Auditor, I herewith respectfully submit my report for the last fiscal year, ending December 31st, 1858. However, it must be understood that heretofore there has been no particular time set for the close of each fiscal year, and I have adopted the last day in the calendar as being the most appropriate—which will give, perhaps, a better understanding of the condition of the territorial revenue at the commencement of each new year.

The Auditor of last year, 1857, ended the fiscal year, Dec. 13th; at which time, according to his report, there was a balance in the territorial treasury of.....	\$915 03
From Dec. 13th, 1857, to March 1st, 1858, there was paid into the Treasury the sum of.....	86 50

Making the sum total.....	\$1,001 53
The disbursements from the treasury during this period, to satisfy the appropriations made by last Legislature, was....	986 54

Leaving a balance in treasury, March 1st, of.....	14 99
The amount received into the treasury as territorial revenue, from 1st March to 31st Dec., 1858, has been.....	\$2,161 92

Making a total of.....	\$2,176 91
The disbursements during this period, has been.....	1,262 71

Leaving a balance in treasury of.....	\$914 20
The whole amount received into the treasury since last report, including the "balance" of that report, has been.....	\$3,163 45
Disbursements since that period.....	2,249 25

Leaving a balance as before, of.....	\$914 20
Amount of Auditor's warrants remaining unpaid.....	\$81 00

For particulars in above facts, see statements marked "A" and "B" herewith appended.

The territorial revenue for the next fiscal year, if proper and full assessments are made in all the counties of the territory, should reach \$3,000.

But it must be remembered that all the counties have not as yet made full returns for any year; which reduces the actual amount paid into the treasury each year, very considerably.

It is almost impossible for me to say what will be the expenses of the next year, as most of the expenses heretofore incurred have been subject to circumstances; some of which might again arise, but not probable. Taking the past years' expenses as a precedent, the liabilities of the territory for the next year, will probably reach \$1,500.

Under the fourth division of the section specifying the subjects upon which I am required to report, much might be said relative to the general accounts of the territory, but I presume that you are already aware of many of the facts connected therewith, as my predecessors have each reported somewhat lengthily upon most of them. I will, however, in connection with the recommendations made by them, respectfully call your attention to a few facts relative to the returns of a copy of the assessment roll of each county to this office, and the manner of payment of the territorial revenue collected by each county into the territorial treasury.

Sections 11 and 12 of the "Act to provide for the assessing and collection of county and territorial revenue," provides that, "within thirty days after the assessment roll of any county has been examined, corrected, and approved by the Board of County Commissioners, the County Auditor shall transmit to the Territorial Auditor a certified copy thereof, under seal of the board."

"Section 12. It shall be the duty of the Territorial Auditor, on receiving such copies of the assessment roll, to estimate the amount of tax to be collected in each county for territorial purposes, and make a statement thereof, and carefully preserve the same in his office; and he shall also deliver a certified copy of such statement to the Territorial Treasurer, who shall record the same in a book kept for that purpose, and the Territorial Treasurer shall also charge the respective counties with the amount of tax so ascertained to be raised in each."

By this it will be seen that each county is charged with the whole amount of tax due the territory, as shown by the Assessors returns. Yet it very seldom happens that the tax collector is successful in collecting all the tax assessed. I presume that in nearly every county the collector makes a return of delinquent tax payers from whom it is impossible to collect the tax charged against them—but a copy of this delinquent list has never been returned to the Territorial Auditor, in order that he may give the county credit for the amount of territorial tax charged against her; but, which has never been and cannot be collected. As shown by statement "C" accompanying this, it will be seen that every county in the territory is in arrears with the territory, several of which amounts to con-

siderable sums; and yet I have no doubt that nearly, if not quite, all of the territorial revenue collected has been paid into the treasury by said counties. There is no law requiring a copy of each delinquent list to be filed with the Territorial Auditor, by which the full amount of revenue belonging to the territory can be ascertained to have been collected in such county.

Another fact connected with this subject is, that the law relating to assessing, &c., provides that the tax collector is empowered to assess as well as collect, in all cases where the assessor has overlooked or neglected. I presume that a considerable amount of revenue has been assessed and collected in this manner, after the return of the assessor. A return of this amount has never been made to the Territorial Auditor, and for which there is no law making it a duty so to do. In consequence of this want of knowledge on the part of the Territorial Auditor, it is impossible for him to make his accounts balance with each county. In one or two instances, a county has a credit of more money paid into the territorial treasury as territorial revenue for a particular year, than the county is charged with for that year. This arises from the fact that the collector has assessed and collected revenue from persons overlooked by the assessor. I would therefore recommend that the law be so amended that at certain stated periods a settlement should be made by each county with the territory, at which time the delinquent list can be presented and placed to the credit of the county, and that when the collector makes his returns to the Board of Commissioners of revenue assessed and collected by him, that a statement of the amount so collected be filed with the Territorial Auditor in order that the county may be charged therewith.

I would also call your attention to the duty of each County Treasurer, found in section 27 of the act referred to above, relative to the holding and transmission of the territorial revenue collected in his county, to the territorial treasury. Said section provides that, "the County Treasurer shall hold all the moneys collected as territorial tax on the first day of September, January and June, subject to the orders of the Territorial Treasurer," &c. Now it appears from this that if the Territorial Treasurer should make a demand for the amount of territorial revenue in his hands on the days above stated, the County Treasurer is bound to forward the same without delay. It must be remembered that the means for the transportation of money from one part of the territory to another is comparatively limited; it seldom happens that the County Treasurer can find a safe and certain means of conveyance; consequently, if compelled to transmit without delay, is liable to great risk which the Treasurer is not willing to undergo. I would recommend that this duty should be more

specifically defined and a way provided to relieve the Treasurers of each county who cannot transmit promptly on the days specified, from the liabilities incurred by a failure so to do.

It will be seen by reference to statement "C," herewith annexed, that several of the counties have failed to make proper returns to this office, or in other words, the Auditors have failed to transmit a certified copy of each year's assessment roll, as required by law. I presume that in most of these instances there has been no assessment returns filed with the county auditors, and no assessor to make such returns—and in fact no regular county organization, or business transacted as contemplated by the law. Soon after I took charge of this office, I addressed a note to each and all of the county auditor's in the territory inquiring into this matter—urging the necessity of a more prompt and speedy action on the part of the people of these counties which had failed to make a proper report, and gave a statement of the amount of charges on the books of this office against each. I have received an answer from most of the auditors—a copy of one or two will be found in statement "C." I confess I am at a loss to know what to do in some of the instances, as no county officer can be found upon whom the responsibility rests; consequently no action can be brought by which to enforce a compliance with the law. This difficulty I leave for the wisdom of the Legislature to remedy—but hope that some action will be taken either to force a compliance as above or a repeal of the act organizing said counties. I am inclined to the opinion that the failure or refusal to keep up an organization arises from a desire to escape taxation, which works injustice to other portions of the territory whose citizens have to bear the burthen of expenses.

The eighth clause of section 5th of the act defining the duties of territorial auditor, imposes the duty "to procure from the proper officers an abstract and description of all taxable lands within the territory not yet procured, and annually, hereafter, abstracts and descriptions of such lands as shall become taxable," &c. I understand the "proper officers" referred to here are the assessors of each county; but as there is no taxable land within the territory, according to my understanding, there has been no concise description furnished by any of the assessors. However, three or four of the counties as shown by statistical report, have returned, in a total, so many acres of taxable land without giving a concise description thereof. One county (Cowlitz) has stated the amount of improvements on the lands in said county, and the value of the lands with the improvements included together.

It will also be perceived that the statistical report of the territory is quite meagre. The object sought by the act of last Legislature, passed

January 30th, did not receive that attention which should have been given it, owing to the lateness of the act, not giving time for the blank rolls to reach all the counties before the assessor commenced his labors, and a proper understanding of the subject by the county auditors. It might be proper for me to state here, that I did not get possession of the papers belonging to this office until about the 10th or 15th of March, and the time required to compile the blanks and have them printed, took till near the 1st of April before they were mailed for their destination. It is hoped that another trial will prove more to the purpose, as the matter will be better understood generally. The subject matter of the "headings for statistics" is left entirely to the discretion of the territorial auditor; perhaps it would be well for the Legislature to state more specifically what these headings shall contain, in order to give better satisfaction and obtain more complete information. In connection with this subject, I would also recommend that the act defining the duties of county assessors in taking the census, be made more complete—requiring him to fill up his census report as much as possible, in accordance with the blanks furnished, and some definite sum allowed him for said services.

In conclusion, a few words might be said relative to the pay allowed the territorial auditor for his services; but many words would not pay, as the pitiful sum allowed will not justify me in being "gassy" on this subject. I would urge the necessity of an increase of pay to this office, unless the Legislature is desirous of having the office kept in the top of a "stove-pipe hat," among a lot of "bricks," as (I was about to say) has formerly been the case. In nearly every kind of business, men are prompted to act in accordance with the amount of pay they are to receive, and if we desire anything well done, we should offer sufficient inducement for prompt action, otherwise we cannot expect or even enforce such compliance. Unfortunately, but little, if any at all, of "honor" is attached to this office—consequently the inducement to its incumbent must be in the shape of "dollars," which, if offered, will tend very materially to increase the "honor." The duties of this office are by no means insignificant, and every year becoming more intricate. Thousands of dollars, no doubt, will each year be paid into and out of the territorial treasury,—a strict and comprehensible account of which has to be kept by the auditor, who should be a person well qualified for the office; but such a person is not often to be found who is willing to undertake such a duty under the present inducements.

Respectfully,

URBAN E. HICKS,

Territorial Auditor.

STATEMENT A.

TERRITORIAL TREASURER,

In account with Washington Territory,

	Dr.
1857—To cash balance remaining on hand December 13, 1857	\$915 03
Dec. 31—To amount received from Treasurer of Kitsap county as revenue of 1857.....	46 50
Jan. 7, 1858—To amount received from Treasurer of Jefferson county, revenue of 1857.....	40 00
Total Dr., to 1st March.....	\$1,001 53
Feb. 28—Cr. to amount of warrants redeemed.....	986 54
March 1—To balance on hand.....	\$14 99
June 9—To amount received of Treasurer of Thurston county, as part revenue for 1857.....	\$85 18
" 10—To amount received from Treasurer of Sawamish county, revenue for 1857.....	9 22
" 10—To amount received from Treasurer of King county, revenue for 1857.....	56 16
" 16—To amount received from Treasurer of Jefferson county, revenue for 1857.....	11 99
" 23—To amount received from Treasurer of Whatcom county, revenue for 1857.....	11 77
" 23—To amount received from Treasurer of Pierce county, revenue for 1857.....	750 00
March 9—To amount received from Treasurer of Lewis county.....	149 75
July 24—To amount received from Treasurer of Chehalis county, revenue for 1856.....	14 94
" 31—To amount received from Treasurer of Cowlitz county, revenue for 1855, 1856 and 1857.....	260 20
Nov. 25—To amount received from Treasurer of Thurston county, revenue for 1858.....	497 44
Dec. 2—To amount received from Treasurer of Sawamish county, revenue for 1856.....	9 00
" 4—To amount received from Treasurer of Clarke county, revenue for 1858.....	150 75
Dec. 4—To amount received from Treasurer of Clarke county, revenue for 1857.....	74 77

Dec. 9—To amount received from Treasurer of Wahkiakum county, revenue for 1856.....	20 00
" 22—To amount received from Treasurer of Jefferson county, revenue for 1858.....	60 75
Total received, Dec. 31, 1858.....	\$2,176 91
Cr., by warrants redeemed.....	1,262 71
Jan. 1, 1859—To balance on hand.....	\$914 20

STATEMENT B.

SHOWING THE WHOLE AMOUNT OF WARRANTS DRAWN UPON THE TREASURY
SINCE LAST REPORT, AND UPON WHAT ACCOUNT.

Dec. 22, 1857—Warrant No. 11, to H. D. Morgan for cleaning territorial arms.....	\$228 00
" 30—Warrant No. 12, to H. R. Crosbie, salary of Territorial Auditor for 1857.....	25 00
Jan. 13, 1858—Warrant No. 1, to Wm. Cock, for rent of office for Territorial Treasurer from 1st January, 1857, to 31st December, 1857, inclusive.....	144 00
" 21—Warrant No. 2, to B. P. Anderson and B. F. Kendall, as council on the part of the territory in the case of the Territory of Washington vs. Leshi (an Indian).....	100 00
" 23—Warrant No. 3, to Messrs. Furste & Wiley, for certain printing for use of territorial authorities.....	107 00
" 26—Warrant No. 4, to James McDonald and L. P. Smith, for their services in the apprehension of Patrick Ragan.....	300 00
" 26—Warrant No. 5, to C. H. Mason, indemnity for amount paid in forwarding express to Judges of Supreme Court.....	11 50
March 1—Warrant No. 6, to H. R. Crosbie, additional pay for services as Territorial Auditor.....	\$50 00
" 1—Treasurer's commission.....	21 04
Total redeemed, March 1st, 1858.....	\$986 54

March 2—	Warrant No. 7, to O. B. McFadden, to defray travelling expenses in attending a special term of Supreme Court, convened by act of Legislature..	\$100 00
" 2—	Warrant No. 8, to F. A. Chenoweth, to defray traveling expenses in attending a special term of Supreme Court, convened by act of Legislature..	100 00
" 12—	Warrant No. 9, to G. K. Willard & Co., for stationary furnished for use of Territorial Auditor and Treasurer.....	86 27½
" 12—	Warrant No. 10, to William Mitchell, Deputy Sheriff of Thurston county, for expenses, &c., in the execution of Leshi, as allowed by District Court, in pursuance of act of Legislature passed Feb. 2d, 1858.....	272 25
April 1—	Warrant No. 11, to William Mitchell, Deputy Sheriff, for similar services as above, and allowed by District Court.....	229 00
" 3—	Warrant No. 12, to B. P. Anderson, for part of yearly salary as Prosecuting Attorney for Washington Territory, from 2d February to 31st March, at \$600 per annum.....	96 66½
" 20—	Warrant No. 13, to C. H. Mason, for rent of court-room for special term of Supreme Court....	20 00
" 27—	Warrant No. 14, to G. K. Willard & Son, for stationary furnished Auditor's office.....	12 50
" 27—	Warrant No. 15, to Rufus Willard, for postage on official documents sent from Auditor's office to the different County Auditors in the territory.....	3 88
July 1—	Warrant No. 16, to B. P. Anderson, salary as Prosecuting Attorney for the territory, from 1st of April to June 30th, 1858.....	150 00
Oct. 1—	Warrant No. 17, to B. P. Anderson, for salary as above, from July 1st to September 30th, 1858....	150 00
Dec. 9—	Warrant No. 18, to Lewis county, indemnity for expenses in transmission of territorial arms from Olympia to the county seat of Lewis county, in the year 1856, in accordance with act of Legislature passed Jan. 13th, 1858, (this warrant is not yet redeemed).....	81 00
Dec. 20—	Warrant No. 19, to U. E. Hicks, salary as Territorial Auditor for 1858.....	25 00

Dec. 22—Treasurer's per centage.....	67 15
Total amount of warrants issued, &c.....	<u>\$1,343 92½</u>
Total amount redeemed.....	<u>\$1,262 72½</u>

Warrant No. 18, in favor of Lewis county, is still in the hands of the Auditor, subject to the order of Lewis county, but as the county is considerably in arrears with the territory, I presume that it will be placed to the credit of said county, without having to redeem it with the money now on hand.

STATEMENT C.

SHOWING THE AMOUNT OF INDEBTEDNESS OF EACH COUNTY TO THE TERRITORY,
SO FAR AS HAS BEEN REPORTED, AS APPEARS UPON THE BOOKS OF THIS
OFFICE:

<i>Clarke County</i> —Total indebtedness.....	\$395 31
<i>Cowlitz</i> " " " for the year 1858.....	125 94
No returns from this county for the year 1854.	
<i>Chehalis</i> " —Total indebtedness, (no returns for the years 1854, 1855, and 1858,).....	18 73
<i>Clallam</i> " —Indebted for the year 1858, no returns for the years 1854, 1855, 1856 and 1857.....	36 37
<i>Island</i> " —Total indebtedness.....	359 34
<i>Jefferson</i> " —Total indebtedness, no returns for the year 1854,	142 76
<i>King</i> " —Total indebtedness, " " "	124 39
<i>Kitsap</i> " —Total indebtedness.....	245 99
<i>Lewis county</i> —Total indebtedness.....	454 25
A warrant on Treasury in this office for \$81.	
<i>Pierce</i> " —Total indebtedness.....	781 39
<i>Pacific</i> " —Indebted for the year 1855, (no returns for the years 1854, 1856, 1857 and 1858,).....	31 49

This county has not paid any revenue for any year. I have addressed the Auditor upon this subject, but have not received an answer.

Sawamish Co.—Total indebtedness for 1858, no returns for 1854, 33 54
Skamania " —Indebted for the year 1855, (no returns for the
 years 1854, 1856, 1857 and 1858)..... 31 13

I addressed a note to the Auditor of this county, inquiring into this matter, and received an answer from one of the County Commissioners, asking further information on the subject. I again addressed a note to the County Commissioner, and received the following reply:

CASCADES, SKAMANIA COUNTY,
 Washington Territory, July 3, 1858. }

URBAN E. HICKS—

DEAR SIR:—Yours of the 12th June, has just been received, in which you inquired of me who were collectors, and how much revenue had been collected. I immediately, on receipt of your letter, called on Wm. M. Wilson, Sheriff, who is the only collector that has ever been for this county; he showed a receipt given by Isaac H. Bush, Treasurer, for the sum of twenty-seven dollars and some cents, the receipt did not show for what year it was collected, but it was dated June, 1856.

Mr. Wilson thought it was collected for the years 1854 and 1855. But I see recorded in the Commissioner's book a warrant from George Griswold, who was commissioner and clerk pro tem. The warrant is recorded as follows: Sheriff, Wm. M. Wilson, has this day, Dec. 30th, 1855, received of me, George Griswold, acting as Auditor, a transcript of the assessment books, with a warrant to collect the same, amounting to five hundred and seventy-two dollars and twenty-two cents; it being for the years 1854 and 1855.

Immediately on receipt of your first letter I sent a line to John W. Stevenson, Commissioner, (who had refused to serve, on account of the unwillingness of the people to assist.) I urged very strongly the necessity of giving the people another opportunity of an election, and, after a considerable consultation with a few citizens of the place, he concluded to do so.

I have also informed some of the citizens of this place of having received two letters from you, and of their purport. I am of the opinion that they will consider the disgraceful condition of our county affairs—and for fear of being attached to Clarke county, will fill the different offices necessary for our reorganization.

A great many of the county papers were burned by the Indians at the massacre of the Cascades, on the 26th March, 1856; which leaves the

business in a bad situation. But it is certain that assessments have been made for every year since our territorial organization, except for the year 1857-58, and all of the assessments that have been made have been accepted by the County Commissioners, and for the want of energy have not been collected. It was my intention, on entering upon the duties of my office, to thoroughly investigate all of the business of the past, and particularly the revenues, schools and roads; but I have been so situated without a full board, that it has been impossible for me to accomplish anything.

I believe I stated in my other letter that I had once called on the Governor, I. I. STEVENS, to fill the vacancies of the board, which he did immediately, by appointing J. H. Alexander and John W. Steyenson. When Mr. Alexander refused to serve, after agreeing to serve before his appointment, I should then again have called on the Governor to fill his vacancy, provided I could have found any competent person who would accept of an appointment.

Wm. M. Wilson states that he lost all of the papers belonging to his office as Collector, except the county orders and money that he had collected, which he had in his coat pocket, and had his coat on the morning of the attack.

I will give further information after our next election, when I am in hopes that I shall be relieved, for the present state of affairs annoys me very much.

I remain, truly,

Your obedient servant,

E. C. HARDY,

County Commissioner.

URBAN E. HICKS, Olympia, W. T.

Spokane County—This county was organized by act of last Legislature, but as yet there has been no report received by this office from that county.

Thurston " —Total indebtedness, ... \$326 36

Wahkiakum " —Indebted for the years 1857-8, (no returns for the years 1854 and 1856, but a credit of \$20 paid as revenue for 1856, which makes total indebtedness, so far as returns show),. 11 06

Walla-walla " —This county was organized by act of Legislature in 1855, but no returns have been received in this office from that county.

The following is a copy of an answer I received to a note addressed to the County Auditor upon this subject:

WALLA-WALLA VALLEY, }
May 9th, 1858. }

SIR—

Having been elected as County Auditor for this county, by last election, I have taken the liberty of opening your communication of March 22nd, addressed to the Auditor of this county. And in reply I have merely to state that, though the officers have been voted for, no other steps have been taken to confirm those elections; none of the officers have been qualified.

The county is also unprovided for in the way of books, stationery, &c. This county is, as you must be aware, under the Military, who have prohibited the settlement of this Valley; and consequently the population is very small. The few that have ventured to take claims have, I understand, received notice that they are to leave the valley as soon as they have taken up their crops, whose removal would reduce the population to less than it was in 1855.

The above reasons have deterred the officers from acting in their different capacities, and consequently civil authority has not been recognized or put in force.

I am, sir,

Yours, respectfully,

A. D. PAMBRUM,

URBAN E. HICKS, Territorial Auditor, Olympia, W. T.

Whatcom County—Total indebtedness.....\$135 88

Total amount indebted to Territory, so far as returns show, \$3,274 00

STATISTICAL REPORT.

SHOWING THE NUMBER OF INHABITANTS, MALE AND FEMALE—AMOUNT OF PROPERTY ASSESSED—NUMBER OF STOCK, &C., &C., IN EACH COUNTY, SO FAR AS REPORTED TO THIS OFFICE.

CLARKE COUNTY.

Number of persons subject to poll tax.....	377
“ white male inhabitants.....	397
“ “ female inhabitants.....	197
“ “ males under 21 years of age.....	292
“ “ females under 18 years.....	247

Whole white population.....	1,130
Value of property assessed.....	\$430,608
Number of horses.....	802
" mules.....	11
" neat cattle.....	2,996
" sheep.....	376
" hogs.....	1,371
" acres of land under wheat.....	455
" " " oats.....	1,243
" " " rye.....	6
" " " barley.....	41
" " " peas.....	165
" " " potatoes.....	195
" " " corn.....	118
" fruit trees set out.....	20,743
" lumber mills, (value \$50,000,).....	10
" stores.....	7
" churches.....	5
" schools.....	3
" acres of taxable land reported.....	201

COWLITZ COUNTY.

Number of persons assessed.....	149
" white males.....	246
" " females.....	177
" " males under 21 years old.....	105
" " females under 18.....	100
Whole white population.....	425
Number of land claims of 640 acres each.....	8
" " of 320 acres each.....	50
" " of 160 acres each.....	25
Whole of county, school and territorial taxes.....	\$1,016 81
Amount of road taxes.....	\$1,538 55
Amount of all taxes.....	\$2,555 37
Whole of property valuation.....	\$125,939 00
Number of acres taken in county.....	24,800
" horses.....	75
" neat cattle.....	870
" sheep.....	234

Number of hogs.....	390
“ acres in wheat.....	207
“ “ oats.....	189
“ “ rye.....	24
“ “ barley.....	58
“ “ peas.....	134
“ “ potatoes.....	61
“ school houses.....	2
“ mills.....	2

CLALM COUNTY.

Number of persons subject to poll tax.....	41
“ white males.....	42
“ “ females.....	8
“ “ males under 21 years.....	6
“ “ females under 18 years.....	4
Whole white population.....	60
Value of personal property.....	\$15,674
Value of real estate, including improvements on land claims.....	\$20,700
Whole value assessed.....	\$36,374
Number of horses.....	1
“ neat cattle.....	126
“ hogs.....	371
“ acres in wheat.....	236
“ “ oats.....	70
“ “ barley.....	7
“ “ peas.....	12
“ “ potatoes.....	96
“ acres of taxable land.....	2,560

CHEHALIS COUNTY.

No returns from this county, consequently no exact account can be given as to its population, wealth, &c., which should be known. This county is situated on the coast, between Shoalwater Bay and the Que-noth river, including Grey's Harbor and the rich fertile valleys of the Chehalis, and other streams flowing into Grey's Harbor and the main

ocean. It is susceptible of a large and wealthy population, possessing many advantages in point of soil, climate, health, and a ready market, and has, within the past twelve months, received considerable addition to its population, of honest, industrious, and hardy sons of toil, who ere long will be able to make a good report of themselves.

ISLAND COUNTY.

Number of persons assessed.....	93
“ “ subject to poll tax.....	87
“ white males.....	126
“ “ females.....	52
“ “ males under 21 years.....	34
“ “ females under 18 years.....	26
Whole white population.....	180
Number of acres land claimed.....	16,000
Value of real estate.....	\$85,760
Value of personal estate.....	\$74,750
Whole value assessed.....	\$161,600
Number of horses.....	70
“ mules.....	1
“ neat cattle.....	130
“ hogs.....	162
“ acres in wheat.....	329
“ “ oats.....	524
“ “ rye.....	2
“ “ barley.....	19
“ “ peas.....	58
“ “ potatoes.....	64
“ lumber mills, (value \$17,000,).....	2
“ sail vessels.....	1
“ stores.....	2
“ acres of taxable land.....	14,880

JEFFERSON COUNTY.

Number of persons assessed.....	181
“ “ subject to poll tax.....	164
“ white males.....	195
“ “ females.....	44

Number of white males under 21 years	-	-	-	-	26
" " females under 18 years	-	-	-	-	21
Whole white population	-	-	-	-	320
Value of real estate	-	-	-	-	\$28,325
" personal property	-	-	-	-	\$85,810
Whole value assessed	-	-	-	-	\$114,135
Number of horses	-	-	-	-	12
" neat cattle	-	-	-	-	156
" sheep	-	-	-	-	12
" hogs	-	-	-	-	84
" acres in wheat	-	-	-	-	22
" " oats	-	-	-	-	44
" " barley	-	-	-	-	4
" " peas	-	-	-	-	10½
" " potatoes	-	-	-	-	26
" lumber mills	-	-	-	-	1
" sail vessels	-	-	-	-	6
" stores	-	-	-	-	14
" acres taxable land	-	-	-	-	125

For further particulars from this county, see copy of note from
County Auditor:

COUNTY AUDITOR'S OFFICE,
Jefferson County, W. T., July 30, 1858. }

SIR:—

By the mail this day, I forward you, in accordance with the law of the Territory, a copy of the assessment roll of this county for 1858. At the time the assessment was made we had in this county a large amount of merchandise from California, brought here in the excitement of the gold mines, which was removed to other portions of the Territory prior to collection of the taxes having commenced.

Therefore, in any calculation you may make in relation to the amount of territorial tax due from this county, it will not be safe to set the valuation that taxes will be realized in over \$65,000.

Respectfully yours,

A. A. PLUMMER,
Auditor.

Per J. J. H. VAN BOKKELIN, Dep'y.

To Territorial Auditor,
Olympia, W. T.

KING COUNTY.

Number of white male inhabitants	80
“ “ female inhabitants	40
“ “ males under 21 years	24
“ “ females under 18 years	19
Whole white population	121
Value of real estate	\$7,000
“ personal property	\$36,581
Whole value assessed	\$83,496
Number of horses	26
“ mules	2
“ neat cattle	161
“ hogs	168
“ acres in wheat	432
“ “ oats	90½
“ “ barley	1
“ “ peas	25½
“ “ potatoes	26½
“ lumber mills	1
“ sail vessels	1½
“ stores	3
“ churches	1

No taxable land returned from this county.

KITSAP COUNTY.

Number of persons assessed	385
“ “ subject to poll tax	368
“ white males	371
“ “ females	31
“ males under 21	1
“ females under 18	6
Whole white population	398
Value of property assessed	\$235,140
Number of neat cattle	128
“ sheep	5
“ hogs	37
“ lumber mills	4

Number of sail vessels.....	6
" steam vessel.....	1
" stores.....	2
No taxable land reported.	

LEWIS COUNTY.

Number of persons assessed.....	134
" " subject to poll tax.....	88
[No population reported.]	
Value of property assessed.....	\$211,948
Number of lumber mills, (value \$1,000,)	2
" flouring mills, (value \$3,000,).....	1
Value of property of Puget Sound Agricultural Company.....	\$15,495

PIERCE COUNTY.

Number of persons subject to poll tax - - - -	166
" white male inhabitants - - - -	278
" " female inhabitants - - - -	142
" " males under 21 - - - -	113
" " females under 18 - - - -	79
Whole white population - - - -	420
Value of property assessed - - - -	\$749,159 50
Number of horses - - - -	640
" neat cattle - - - -	2,300
" sheep - - - -	7,720
" hogs - - - -	350
" acres in wheat - - - -	1,160
" " oats - - - -	922
" " rye - - - -	17
" " barley - - - -	3
" " peas - - - -	96
" " potatoes - - - -	100
" lumber mills, (value \$27,000,).....	4
" flouring mills, (value \$45,000,).....	2
" sail vessels - - - -	3
Value of property of Hudson Bay Company.....	\$6,400

Value of Puget Sound Agricultural Company	\$554,075
Number of stores	6
“ churches	2
“ schools	3
“ acres of taxable land claimed by P. S. A. Co.	104,320

PACIFIC COUNTY.

No returns from this county. I should be happy to say something in favor of this county, if I had any data to go upon; but as it is I only know that such a county is said to exist somewhere between the mouth of the Columbia river and Shoalwater Bay. It is hoped that a report will yet come out in proper shape.

SAWAMISH COUNTY.

Number of persons assessed	48
“ “ subject to poll tax	46
“ white males	47
“ white females	23
“ white males under 21	17
“ white females under 18	14
Whole white population	86
Value of personal property	\$29,028
Value of real estate	4,312
Total value assessed	38,340
Number of horses	11
“ neat cattle	146
“ hogs	62
“ acres in wheat	10
“ “ oats	11
“ “ rye	2
“ “ potatos	27
“ lumber mills (value \$7,150)	2
“ sail vessels	1
“ acres taxable land	3,704½

SKAMANIA COUNTY.

No returns from this county. The cause of failure to report is shown in statement C.

SPOKANE COUNTY.

No report from this county—the cause is well understood, being east of the mountains, where a settlement heretofore has been prohibited, both by the military authorities and the hostility of the Indians.

THURSTON COUNTY.

Total value of property assessed for 1858, \$638,540. No further returns, the cause of which I understand to be that the County Commissioners refused to remunerate the Assessor for taking the census, and he refused to make a report. This is unfortunate, as this county is one of the largest and most wealthy counties in the Territory; a report from which would certainly have been interesting and useful, besides adding materially to the general aggregate.

WAHKIAKUM COUNTY.

Number of persons assessed	-	-	-	-	-	-	-	17
“ “ subject to poll tax	-	-	-	-	-	-	-	14
“ white males	-	-	-	-	-	-	-	38
“ “ females	-	-	-	-	-	-	-	17
“ “ males under 21	-	-	-	-	-	-	-	22
“ “ females under 18	-	-	-	-	-	-	-	6
Whole white population	-	-	-	-	-	-	-	55
Value of property assessed	-	-	-	-	-	-	-	\$12,615
Number of horses	-	-	-	-	-	-	-	39
“ mules	-	-	-	-	-	-	-	1
“ neat cattle	-	-	-	-	-	-	-	128
“ sheep	-	-	-	-	-	-	-	152
“ hogs	-	-	-	-	-	-	-	46
“ acres in wheat	-	-	-	-	-	-	-	10

Number of acres in oats	30
" " potatoes	15
No taxable land reported.	

The following was added by the Auditor on the margin of report, which I deem of sufficient interest to insert herewith :

This county, with the exception of a few small prairies, is hilly and mountains, and heavily timbered—spruce, fir, hemlock and cedar abounds. We have two small valleys, Skoomokeways and the Elohomon; the former contains some excellent land, but is not settled. The Elohomon valley is settled for five miles, and claims could be taken as far north as the mouth of the West Fork, some twelve miles north of Cathlamet. The bottom lands are highly productive, and are timbered with white maple, alder, cottonwood, spruce, &c.

At the mouth of the West Fork of the Elohomon are bluff of gray sand-stone, containing fossil marine shells, a few of which are herewith presented. Some indication of coal has been found, but not sufficient to justify working.

(Signed,)

CHARLES McCALL,

County Auditor.

WALLA-WALLA COUNTY.

No returns—the reasons are shown in copy of letter from county auditor, found in statement C.

WHEATCOM COUNTY.

Number of persons assessed	108
" " subject to poll tax	92
" white males	104
" " females	15
" " males under 21	10
" " females under 18	13
Whole white population	133
Value of property assessed	\$65,150
Number of horses	1
" neat cattle	39
" acres in potatoes	28

One lumber mill, one sail vessel, 10 stores, and 484 acres of taxable land reported.

RECAPITULATION.

SHOWING THE TOTAL OF ABOVE ITEMS OF STATISTICS, AS REPORTED.

Whole number of persons assessed	-	-	-	-	1,215
" subject to poll tax	-	-	-	-	1,218
Total white, male inhabitants	-	-	-	-	1,924
" female	-	-	-	-	736
" males under 21 years of age	-	-	-	-	644
" females under 18 years of age	-	-	-	-	625
Total white population	-	-	-	-	3,138
Total value of real estate assessed	-	-	-	-	\$146,097
" personal property	-	-	-	-	\$241,843
" property assessed	-	-	-	-	\$2,258,504 50
Total number of horses	-	-	-	-	1,678
" mules	-	-	-	-	15
" neat cattle	-	-	-	-	7,586
" sheep	-	-	-	-	8,629
" hogs	-	-	-	-	2,641
Number of acres in wheat,	-	-	-	-	2,672
" " oats,	-	-	-	-	3,123
" " rye,	-	-	-	-	51
" " barley,	-	-	-	-	133
" " peas,	-	-	-	-	510
" " potatoes,	-	-	-	-	639
" " corn,	-	-	-	-	118
Number of lumber mills, (value, about \$100,000,)	-	-	-	-	29
" flouring mills, (value, \$47,000,)	-	-	-	-	8
" sail vessels,	-	-	-	-	18
" steam	-	-	-	-	2½

Value of Hudson Bay Company property,	\$6,400
Value of Puget Sound Agricultural Company,	\$569,570
Number of stores,	44
“ churches,	8
“ schools,	8
“ fruit trees set out,	20,743
Total number of acres of taxable lands,	151,074½

This includes all the statistical matter reported to this office for this year, which is quite small, owing, as said before, to a failure to make proper reports by the county officers.

It will be recollected that there is no reports from Thurston, Pacific, Skamania, Walla-walla, Spokane, and no statistical returns from Lewis counties. And even in several of the counties which have reported there evidently was not a full census taken, which, if added to the foregoing recapitulation, would add at least one-half, and perhaps more, to the sum total. It is hoped that next year there will be a better return made, and this report tripled in every item.

Mr. Henness moved to lay the report upon the table, and that 1000 copies be ordered printed.

Carried.

Mr. Henness moved that when this House adjourn that it adjourn to meet at 2 o'clock, P. M.

Lost.

On motion of Mr. Tennant,

That this House hold two sessions daily,

Lost.

H. B. No. 33, an act to prevent white men from having intercourse or cohabiting with squaws,

Read second time.

Mr. Tennant moved that the House now resolve itself into a committee of the whole on H. B. No. 33.

Carried.

Mr. Tennant in the chair.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House that the Council have concurred in House amendments to C. B. No. 5, an act to authorize E. L. Massey to establish a ferry on Snake river.

After some time spent in the committee of the whole, Mr. Caples moved that the committee do now rise and report the bill back to the House, with a recommend that the amendments made in the committee of the whole be adopted.

By the House adopted..

On motion that the House do now adjourn, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Howe, Judson, Mannen, McCall, Purdy, Smith, Stiles, and Weed—13.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Henness, Longmire, Lewis, Rutledge, Sylvester, Shead, Savage, Tennant, and Mr. Speaker—14.

So the motion to adjourn was lost.

H. J. M. No. 9, relative to the establishment of a military road from Seattle, on Puget Sound, viz Snoqualmie Pass, to Fort Colville,

Read second time..

On motion, the rules were suspended, and read third time and passed.

On motion, the clerk was ordered to report the passage of the resolution to the Council.

On motion that the House do now adjourn, the yeas and nays were demanded, which resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Howe, Judson, Lewis, Mannen, McCall, Purdy, Smith, Stiles, Weed, and Mr. Speaker—15.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Henness, Longmire, Rutledge, Sylvester, Shead, Savage, and Tennant—12.

So the House adjourned.

WEDNESDAY, JANUARY 12, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Message from the Council by their Clerk:

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of C. B. No. 12, an act declaring the road leading from Fort Simcoe to Fort Dalles a territorial road.

Also, the passage of C. B. No. 13, an act declaring the military road leading around the Cascade Falls a territorial road.

Also, the passage of C. B. No. 3, an act relative to minors and persons of an unsound mind.

Also, the passage of C. B. No. 11, an act relative to the instructions by the court in the trial of civil actions.

Also, the passage of H. B. No. 10, an act to dissolve the bonds of matrimony existing between W. H. Pullen and his wife, Maria B. Pullen.

Also, the passage H. B. No. 13, an act to construe an act entitled an act to amend an act respecting executors, administrators, and the distribution of real and personal estate.

Also, that the Council has indefinitely postponed H. B. No. 9, an act to amend an act entitled an act preventing the sale of spiritous liquors to Indians.

Journal of yesterday read and approved.

Mr. Biles presented the petition of Mr. Armstrong, praying for relief for expenses incurred in the capture of fugitives from justice.

Mr. Howe moved that it be referred to committee on Ways and Means.

Lost.

Mr. Cline moved that it be referred to committee on Claims.

Carried.

Mr. Purdy, chairman of the committee on Corporations, reported as follows:

The committee on Corporations, to whom was referred H. B. No. 17, an act to incorporate the Sisters of Charity in the Territory of Washington, have had the same under consideration, and recommend that it do not pass.

F. C. PURDY,
J. M. HAWK.

Mr. Biles, on leave, presented H. B. No. 36, an act to amend an act authorizing officers to take acknowledgments.

Read first time.

Mr. Caples, on leave, presented H. B. No. 37, an act to amend an act entitled an act to provide for the appointment of a Librarian and defining his duties.

Read first time; and,

On motion of Mr. Caples,

Ordered to be printed.

Second reading of bills.

H. B. No. 34, an act to prevent stud-horses, jackasses and ridglins from running at large.

Read second time.

On motion of Mr. Caples,

Referred to committee on Military Affairs.

H. B. No. 35, an act to locate the county seat of Clalam county,

Read second time; and,

On motion of Mr. Biles,

Referred to committee on Counties.

H. M. No. 11, asking for an appropriation for the construction of bridges across the Nisqually and DeShutes rivers,

Read second time ; and,

On motion of Mr. Shead,

Referred to committee on Memorials.

H. J. M. No. 12, relative to the free navigation of White and De-wamish rivers,

Read second time ; and,

On motion of Mr. Lewis,

Referred to committee on Memorials.

H. B. No. 25, an regulating fences, fence viewers, &c.,

Read second time ; and,

On motion, referred to committee on Judiciary.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the introduction in the Council of C. B. No. 14, an act to prevent the slaughtering of beef cattle within the limits of any of the settlements laid off on town sites in the Territory of Washington.

H. B. No. 20, an act to amend an act entitled an act relating to County Assessors,

Read third time, passed and title agreed to.

H. B. No. 19, an act to amend an act entitled an act to provide for the collecting of County and Territorial revenue,

Read third time, passed and title agreed to.

H. B. No. 21, an act to change the time of holding the sessions of County Commissioners' Court,

Read third time, passed and title agreed to.

H. B. No. 27, an act to define the boundary line between Sawamish and Thurston counties,

Read third time, passed and title agreed to.

H. B. No. 30, an act to authorize C. C. Vail to establish a ferry across the Lummi or Nootsack river,

Read third time, passed and title agreed to.

H. B. No. 33, an act to prevent white men from having intercourse or cohabiting with squaws, was taken from the table.

Mr. Shead moved to refer the bill to the committee on Ways and Means.

Mr. Tennant moved to amend by referring it to the committee on Public Grounds and Buildings.

Motion lost.

Mr. Tennant moved the indefinite postponement of the bill.

Upon which the yeas and nays were demanded, which resulted as follows :

Those voting in the affirmative were—

Messrs. Catlin, Cline, Hawk, Henness, Longmire, McCall, Purdy, Sylvester, Shead, Tennant, and Mr. Speaker—11.

Those voting in the negative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Goddard, Gove, Hawk, Judson, Lewis, Mannen, Rutledge, Smith, Stiles, Savage, and Weed—16.

So the motion to indefinitely postpone was lost.

Mr. Tennant moved it be made the order of January 31st.

Mr. Henness moved to amend by making it the order of July 4th.

Lost.

Mr. Henness moved to amend by inseting in section 1, third line, after the word any, "Kanakas."

Lost.

Mr. Henness moved to amend in section 3, first line, by stiking out the word "Indiap.

Lost.

Mr. Tennant moved to amend by striking out in section 3, second line, the words "such intercourse."

Lost.

Mr. Briscoe moved to amend in section 3, fifth line, by inserting "or children."

Carried.

Mr. Carter moved to adjourn.

Lost.

Mr. Stiles moved that now be assigned as the time for the third reading of the bill.

Carried.

Upon which the yeas and nays were demanded, which resulted as follows :

Those voting in the affirmative were—

Messrs. Briscoe, Caples, Carter, Goddard, Gove, Judson, Mannen, Rutledge, Smith, and Weed—10.

Those voting in the negative were—

Messrs. Biles, Catlin, Chapman, Cline, Hawk, Howe, Henness, Longmire, Lewis, McCall, Purdy, Stiles, Sylvester, Shead, Savage, Tennant, and Mr. Speaker—17.

So the bill was lost.

C. B. No. 6, an act to locate a Territorial road from Fort Wallawalla to Fort Colville, was

On motion of Mr. Henness,

Laid on the table.

C. R. No. 4 was taken from the table.

Mr. Chapman moved to adjourn.

Upon the motion to adjourn the yeas and nays were demanded, which resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Judson, Mannen, Purdy, Smith, Stiles and Weed—11.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Howe, Henness, Longmyre, Lewis, McCall, Rutledge, Sylvester, Shead, Savage and Tennant—15.

So the motion to adjourn was lost.

Mr. Caples moved that C. R. No. 4 be referred to the committee on Judiciary. Lost.

Mr. Howe moved that the Resolution be laid on the table and made the special order of the day on the 20th day of this month.

Motion lost.

Mr. Carter moved to adjourn.

Upon the motion to adjourn the yeas and nays were demanded, which resulted as follows:

Those voting in the affirmative, were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Judson, Mannen, Purdy, Smith and Weed—9.

Those voting in the negative, were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Howe, Henness, Longmyre, Lewis, McCall, Rutledge, Stiles, Sylvester, Shead, Savage, Tennant and Mr. Speaker—17.

So the motion was lost.

Mr. Carter moved to refer the Resolution to the committee on Judiciary. Lost.

Mr. Tennant moved the previous question.

Upon the motion for the previous question, the yeas and nays were demanded, and resulted as follows:

Mr. Smith was excused from further attendance on account of sickness.

Those voting in the affirmative, were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Rutledge, Sylvester, Shead, Savage, Tennant and Mr. Speaker—15.

Those voting in the negative, were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Howe, Judson, Mannen, Purdy, Stiles and Weed—11.

So the previous question was carried.

Mr. Carter moved to adjourn. Lost.

On the motion, shall the main question be now put, the yeas and nays were demanded and were as follows:

Those voting in the affirmative, were—

Messrs. Biles, Briscoe, Caples, Catlin, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Rutledge, Stiles, Sylvester, Shead, Savage, Tennant and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Chapman, Carter, Cline, Howe, Judson, Mannen, Purdy and Weed—8.

So the motion was carried.

While the main question was pending, Mr. Carter moved to adjourn.

Motion lost.

Mr. Stiles moved that the House do now adjourn till 6 o'clock, this evening.

Motion ruled out of order.

An appeal was taken and the Chair sustained.

Mr. Stiles moved to adjourn.

Upon the motion to adjourn, the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Mannen, Purdy, Tennant and Weed—4.

Those voting in the negative, were—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, McCall, Rutledge, Stiles, Sylvester, Shead, Savage, and Mr. Speaker—21.

So the motion to adjourn was lost.

While the main question was pending, Mr. Howe moved a consideration of the amendments presented by the minority committee.

Motion ruled out of order.

An appeal was taken upon the ruling of the Chair.

On motion, the appeal was laid on the table.

Mr. Caples demanded a division of the question, which was granted.

On the motion that the first section of the resolution be adopted, the ayes and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Hennessy, Judson, Longmyre, Lewis, Mannen, McCall, Rutledge, Stiles, Smith, Shead, Sylvester, Savage, Tennant, Weed and Mr. Speaker—25.

Those voting in the negative, were—

Messrs. Howe and Purdy—2.

So that portion of the resolution relative to the administration, &c., was adopted.

On motion that the second section be adopted, the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Hennessy, Longmyre, Lewis, McCall, Rutledge, Sylvester, Shead, Savage, Tennant and Mr. Speaker—15.

Those voting in the negative, were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Howe, Judson, Mannen, Purdy, Smith, Stiles and Weed—12.

So the motion prevailed, and C. R. No. 4, extending thanks to the Administration, Hon. I. I. Stevens, &c., was adopted.

On motion that the House do now adjourn, the yeas and nays were demanded, and resulted as follows:

Those voting in the affirmative, were—

Messrs. Catlin, Cline, McCall, Sylvester and Weed—5.

Those voting in the negative, were—

Messrs. Biles, Briscoe, Chapman, Carter, Goddard, Gove, Hawk, Howe, Hennessy, Judson, Longmyre, Lewis, Mannen, Purdy, Rutledge, Shead, Savage, Tennant and Mr. Speaker—14.

So the House refused to adjourn.

On motion, H. J. R. No. 8, was taken from the table:

Mr. Howe moved that 200 copies of the report of committee on Memorials, on H. J. R. No. 8, relative to mails on Puget Sound, be print

ed, together with the acts of Congress establishing said service—the accompanying papers, &c., and that the Secretary of the Territory be requested to forward a copy of said report to the Post Master General, the Secretary of War, and our Delegate in Congress.

Motion adopted.

On motion, now was assigned as the time for its third reading.

H. J. R. No. 8, relative to the mail service on Puget Sound, was read a third time and passed, unanimously.

On motion, H. B. No. 17, an act to incorporate the Sisters of Charity of the House of Providence of Washington Territory, was taken up.

On motion of Mr. Caples,

Referred to committee on Judiciary.

On motion of Mr. Sylvester,

The House adjourned.

THURSDAY, JANUARY 13, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Briscoe, Caples, Catlin, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

With the unanimous consent, Mr. Smith was allowed the privilege of recording his name on the Journal as voting in favor of the first resolve, and against the second, of C. R. No. 4.

Mr. Biles asked as a privileged question, that the amendments offered by the minority committee on C. R. No. 4 be recorded on the Journal, and be considered a part of the report of said committee.

Mr. Caples, chairman of the committee on Memorials, made the following report :

MR. SPEAKER :—The committee on Memorials, to whom was referred H. J. M. No. 11, relative to the construction of bridges, &c., have had the same under consideration, and have instructed me to report the same as amended back to the House with amendments, and recommend that it do pass.

Also, H. J. R. No. 12, relative to the free navigation of White and Dewamish rivers, have had the same under consideration, and recommend that it do pass.

H. L. CAPLES,
Chairman.

On leave, Mr. Caples presented the following resolution :

Resolved, That hereafter when the House does adjourn, that it adjourn until 2 o'clock, P. M., of the same day, until otherwise ordered.

On motion, the resolution was adopted.

H. J. R. No. 6 was taken from the table, and the amendments by the committee adopted.

Mr. Howe moved to further amend by adding in section 2, after the word "general," "three Capitol Commissioners."

Carried.

Mr. Biles moved to amend by adding "one Penitentiary Commissioner."

Carried.

On motion, that now be assigned as the time for the third reading of the resolution, it was carried.

So the resolution was read third time and passed.

H. J. R. No. 7 was taken from the table, and read as amended by the Council.

The question being will the House concur in the Council amendments, the yeas and nays were demanded, and resulted as follows :

Those voting in the affirmative were—

Messrs. Catlin, Cline, Goddard, Gove, Hawk, Lewis, McCall, Smith, Sylvester, Tennant, and Mr. Speaker—11.

Those voting in the negative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Howe, Jackson,

Longmyre, Mannen, Purdy, Rutledge, Stiles, Shead, Savage, and Weed
—15.

So the House refused to concur in Council amendments.

Mr. Tennant asked to be excused from further service on the joint committee on Enrolled Bills, and

On motion of Mr. Caples,

He was excused.

On leave, Mr. Caples presented the following resolution :

Resolved, That all bills, memorials and resolutions originating in and passing this House shall be enrolled by the member presenting the same.

Carried.

H. B. No. 29, an act declaring all military roads in the Territory of Washington territorial roads, was taken from the table, and

On motion of Mr. Tennant,

Was considered engrossed, and ordered to third reading.

Read third time, passed and title agreed to.

H. B. No. 8, an act to locate a territorial road from Skookum Bay to Chehalis river, was taken from the table, and read as amended by the Council.

Pending which the House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

Upon which the consideration of H. B. No. 8 was resumed.

The question being, will the House concur in Council amendments to H. B. No. 8, which was decided in the affirmative, and the House concurred in Council amendments.

Mr. Biles rose to a privileged question, requesting of the House the re-printing of the minority report of committee on C. R. No. 4, with amendments recommended therein, which was granted.

The Speaker presented a communication to the House from Acting Governor Mason, accompanied with a copy of a communication from Gen. Harney, in reply to a joint resolution which passed this Legislative Assembly, relative to a line of military posts between Fort Dalles and the Missouri River, which was read by the Speaker, as follows:

EXECUTIVE DEPARTMENT,
OLYMPIA, Jan. 13, 1859. }

To HON. E. S. DYER,

Speaker of the House of Representatives:

SIR:—

Herewith transmitted is a communication from Brigadier-General Wm. S. Harney, commanding department of Oregon, acknowledging the receipt of certain resolutions passed by the Legislative Assembly, relative to the establishment of military posts along the emigrant road from the Missouri river to Fort Walla-walla.

Very respectfully,

Your obedient servant,

C. H. MASON,

Secretary and acting Governor, W. T.

Head-Quarters Department of Oregon—

FORT VANCOUVER, W. T.,
January 4th, 1859. }

HON. CHARLES H. MASON,

Secretary of Washington Territory:

SIR:—

I have the honor to acknowledge the receipt of your communication of the 27th of December last, transmitting a copy of the Resolutions of the Legislative Assembly of the Territory of Washington, relative to the establishment of military posts along the emigrant road from the Missouri river to Fort Walla-walla, in compliance with the request of the Assembly.

For this act of courtesy and consideration on the part of the Assembly, and for the confidence extended to myself, expressed in its Resolutions, I tender my warmest thanks.

This generous welcome which has greeted me on my arrival in this distant portion of our great republic, arouses feelings and thoughts that are well shadowed forth in the object for which the Resolutions were framed, viz: the difficulties existing in communicating with the States of the East.

I concur with the Assembly as to the urgent necessity of opening a practicable and easy route from the Missouri river to Fort Walla-walla. Not only should this be done, but a road from Fort Walla-walla or the Dalles should be opened and established to Great Salt Lake City, connecting at the same time with the road to Fort Laramie and Missouri. This suggestion has already been submitted to the consideration of the Government, and I am satisfied its construction will be directed.

It has been my fortune, at different periods of my life, to pass over the greater part of the country through which these routes should be established; and I do not believe that in any other portions of our country such good natural roads for the same distance could be laid.

The establishment of every facility of communication between the different sections of our country is essentially a military question, apart from the vital social interests depending upon it. I therefore do not hesitate to present my views at this time on the subject of connecting our Pacific slope with that of the Atlantic, by a net-work of roads.

As the social and political interests of a State increase, the necessity for the defense and protection of those interests becomes more imperative. I may say with propriety that no portion of our citizens are more deeply interested in a safe, rapid and certain communication with the East and West, than those of the army; they will not only be obliged to use it, but to protect and secure it, and they will always be found, as the pioneers of civilization, grateful for every suggestion tending to shorten and improve the distance.

The vast and multiplying interests of commerce, demanding a direct and certain communication, are becoming familiar to the public mind, but none can realize them to their fullest extent who have never visited our Pacific coast.

Ten years ago when California sprang into existence among nations, like a Phoenix from the ashes of decay, the world marveled and wondered. The mind of man, prone to judge of consequences by their immediate action on himself, concluded the cause to be the gold in the soil, forgetting for the moment that countries in which only the precious metals abound, have ever been noted by decay and degradation.

Let us suppose for a moment that the same amount of gold had been discovered at the North Pole ten years ago, would the country at the North Pole present now the appearance, energy and enterprise of

California—of Oregon and Washington Territories? This question is easily answered and clearly indicated: it was not the gold which has caused the United States to be so proud of her Pacific possessions, it was the unrivaled advantages of soil and climate—the unbounded resources in the animal, vegetable and mineral kingdoms; and still above these, that talisman of earthly greatness,—the first geographical position in the world for commerce.

These were the causes which excited in the public mind that eager desire to grapple the Pacific States with links of steel, and which is soon to become a national passion.

These States, resting on that ocean which connects the two grandest Continents of the Universe—Asia and America—must receive tribute from the west by every breeze that blows—from Japan, from Russia, from China, and from all parts of Asia.

The present commerce of the world will sink into insignificance in comparison with that traffic which is to be inaugurated by the labors of five hundred millions of the most industrious people of the earth, who are hereafter to be known among men. The very winds of Heaven, on the Pacific ocean, mark out the course which this trade must take in its movement through the world; and the natural harbors and magnificent forests tell us that this coast must be, in future times, the Queen of Commerce.

When such facts as these present themselves to the mind of the American people, let me ask, is there any element of that restless determined energy which characterizes their nature to deter them from making the great preparations necessary for such events?

Did they hesitate to establish a national road between the eastern and western States, when the interests of the country required it; and were not the difficulties of accomplishment at that time as great, in connection with that road, as any of the difficulties now existing on any of the proposed Pacific routes?

Have they ever permitted the most trying circumstances, or the most adverse difficulties to weigh a moment in the scale, when the honor, interest, and reputation of our common country was concerned?

It is this faith in the desire of our countrymen to see our national greatness increase, that convinces me the brilliant prospects of California, Oregon and Washington Territories, will be fully realized,—that the time is not far distant when the crowning work of steam will be victoriously accomplished; when engines of such size and power will be so constructed as to condense days into hours, miles into inches; and when the passage

from one ocean to the other, on our own soil; will only occupy from one day of rest to another.

I am in favor of multiplying the number of roads between the Mississippi river and the Pacific States, and of opening railroads on each and all, when the location and interests warrants so doing.

In connection with this subject, an important question must be answered: Who are to people the immense plains and arid wastes between the confines of Missouri and the Sierra Nevada mountains of California? Who are to build up the system of roads and railroads through that country we require?

The American and the European leave behind them those wastes, and hurries to the fertile and well-watered shores of the Pacific. The destiny of the Indian is written in the setting sun. From whence then, are the people to come who will be willing and who can make a garden of a desert?

In the dispensation of Divine Providence, does it not appear that the great and powerful nation now being established on this continent, was not to receive its origin or its destiny from any one of the races of men? But that each and all contributing their intellect, their energy, and their labor, to the stupenduous work of omnipotent design, would unconsciously create a fabric of such glorious and transcendent structure, as to become a monument of His power and goodness.

As Europe and Africa have built the railroads, dug the canals, and planted the fields to the east of the Mississippi, does it not seem but natural that Asia, with her surplus population, should do the same for the country west of that river? Does it not appear that there exists but one people whose history and whose labors show that they are qualified for the duty of regenerating the Rocky mountains?—a people who remained a mystery for thousands of years—whose number, patience, industry and economy, have achieved the most remarkable deeds—where labor and privation were required—and where quiet, inoffensive and peaceful habits became a necessity?—a people who, to secure themselves from a warlike neighbor, built a wall, to intervene between them, of such dimensions, of such length, and over such mountains, plains and rivers, in one unbroken chain, as to claim for it a place among the wonders of the world?—a people whose products and manufactures are already domesticated with us? I refer to the people of China.

Let us commence then the railroads; let us encourage the Chinese to emigrate and build them; let them be organized in the interior, which assimilates to many parts of their own country; let steam and lightning perform their proper labors, by removing mountains and dispensing with

time, and we shall give a stimulus to commerce, energy and enterprise, which the most enthusiastic mind cannot now picture.

With sentiments of high consideration,

I remain Sir, very respectfully,

Your obedient servant,

WM. S. HARNEY,

Brig. Gen. U. S. A., Commanding.

To his Excellency, C. H. Mason, Acting Governor of Washington Territory, Olympia, Puget Sound.

On motion of Mr. Biles,

The communication was laid on the table and 2000 copies ordered printed.

Mr. Carter presented a remonstrance from the citizens of Chehalis county relative to changing the boundary lines of said county, which

On motion of Mr. Carter,

Was referred to the committee on Counties.

H. J. M. No. 11, relative to the construction of bridges across the Nisqually and De Shutes rivers, was taken from the table, with amendments as recommended by the committee on Memorials.

On motion, the amendments were adopted.

Mr. Biles moved that now be assigned the time for the 3rd reading of the memorial.

Carried.

So H. J. M. No. 11 was read a third time and passed.

H. B. No. 34, an act to prevent jack asses, stud horses, &c, was taken from the table, with amendments as recommended by committee.

Mr. Caples moved that the bill be re-committed to a committee of one, naming Mr. Rutledge.

Mr. Rutledge moved to amend by adding Messrs. Caples and Tennant to said committee.

Carried, and bill so referred.

On motion,

H. J. M. No. 12, relative to the free navigation of Duwamish and White rivers, was taken from the table.

Mr. Stiles moved that it be considered engrossed and now assigned as the time for the third reading of the resolution.

Carried.

So the memorial was read a third time and passed.

On motion, H. B. No. 32, an act to locate a Territorial road from Yelm Prairie to Nachess River, was taken from the table.

Mr. Caples moved that it be engrossed, and to-morrow assigned the time for the third reading of the bill.

Carried.

H. B. No. 26, an act to amend an act entitled an act relating to elections and the mode of supplying vacancies, was taken from the table with report of the committee on said bill, recommending the indefinite postponement of the bill.

The question being upon the adoption of the report of the committee, the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Goddard, Howe, Judson, Lewis, Mannen, Purdy, Smith, Stiles, Sylvester, Savage, Weed and Mr. Speaker—17.

Those voting in the negative, were—

Messrs. Catlin, Goye, Hawk, Henness, Longmyre, McCall, Rutledge, Shead, and Tennant—9.

So the report of the committee was adopted, and H. B. No. 26, indefinitely postponed.

On motion, H. B. No. 31, an act to correct and amend an act entitled an act relating to Prosecuting Attorneys, was taken from the table.

Mr. Biles moved that it be considered engrossed, and that now be assigned the time for the third reading of the bill.

Carried.

So the bill was read a third time and passed, and title agreed to.

The petition of F. Daylne and others, together with H. B. No. 24, granting to Henry Winsor the exclusive right to navigate the Cowlitz river by steam, was taken from the table, with the report of the committee thereon, recommending that it be laid on the table.

Upon motion that the report of the committee be adopted, it was decided in the negative.

Mr. Biles moved that the bill be indefinitely postponed.

Upon the motion to indefinitely postpone the bill, the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Biles, Catlin, Chapman, Cline, Goddard, Gove, Lewis, McCall, Smith, Savage and Tennant—11.

Those voting in the negative, were—

Messrs. Caples, Hawk, Henness, Judson, Longmyre, Mannen, Purdy, Rutledge, Stiles, Sylvester, Shead and Weed—12.

So the motion to indefinitely postpone was lost.

Mr. Caples moved that the bill be considered engrossed and now be assigned the time for its third reading.

Carried, and bill read a third time.

Upon the question, shall this bill pass? the yeas and nays were demanded, and resulted as follows:

Those voting in the affirmative, were—

Messrs. Caples, Gove, Hawk, Henness, Judson, Longmyre, Mannen, Purdy, Rutledge, Stiles, Sylvester, Shead, Weed and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Biles, Catlin, Cline, Lewis, McCall, Smith, Savage, and Tennant—8.

So the bill passed, and title agreed to.

On motion that the House do now adjourn. Lost.

On motion, H. B. No. 3, an act dissolving the bonds of matrimony between Robert Hunt and his wife Isabella Hunt, was taken from the table, and

On motion of Mr. Tennant,

Was laid on the table and made the special order of the day on the second Monday of December next.

Carried, which killed the bill.

H. B. No. 4, an act to incorporate the Cowlitz River Steam Navigation Company, was taken from the table, and

On motion of Mr. Catlin,

Was made the order of the day on Monday next, Jan. 17th.

On motion, H. B. No. 16, an act dissolving the bonds of matrimony existing between Wm. Terry and his wife Susan Terry, was taken from the table, and

On motion of Mr. Henness,

Was laid upon the table, subject to the order of the House.

C. M. No. 6, asking for a light house at Sandy Point, was read first time.

On motion, the House adjourned.

FRIDAY, JANUARY 14, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylverter, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the introduction in the Council of C. B. No. 15, an act increasing the salary of Territorial Auditor.

Also, the introduction of C. B. No. 16, an act defining the boundary lines between Chehalis and Pacific counties.

Also, the passage of C. J. R. No. 4, relative to the adjournment of this Legislative Assembly *sine die* on January 24th, 1859.

Journal of yesterday read and approved.

Mr. Rutledge, chairman of the committee to whom was referred C. B. No. 4, an act to locate a territorial road from Monticello to upper Cascades, reported as follows :

MR. SPEAKER :—The committee on Roads and Highways, to whom was referred C. B. No. 4, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments : Strike out all of section 4, and insert, "said commissioners shall receive no compensation for said service except by voluntary subscription," and recommend that it do pass as amended.

WM. RUTLEDGE,

Chairman,

Mr. Goddard, chairman of the committee to whom was referred H. B. No. 35, an act to locate the county seat of Clallam county, made the following report :

MR. SPEAKER :—The committee to whom was referred H. B. No. 35, beg leave to report the same back to the House without amendment, and recommend that it do pass.

Also, the committee to whom was referred H. B. No. 12, an act defining the boundary lines of Pacific county, beg leave to report the same back to the House, and recommend that it be indefinitely postponed.

J. H. GODDARD,

Chairman.

Mr. Rutledge, chairman of the select committee, to whom was referred H. B. No. 34, an act to prevent stud-horses, jackasses and ridglins running at large, made the following report :

MR. SPEAKER :—The select committee to whom was referred H. B. No. 34, beg leave to report the same back to the House, and recommend that the 7th section be stricken out, and that it do pass as amended.

WM. RUTLEDGE,

Chairman.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to request of the House a certified copy of H. R., relative to the enrollment of bills by members introducing them.

Second reading of bills.

H. B. No. 36, an act to amend an act authorizing officers to take acknowledgments,

Read second time.

H. B. No. 37, an act to amend an act entitled an act to provide for the appointment of Librarian and defining his duties,

Read second time.

C. M. No. 6, praying for the construction of a lighthouse on Sandy Point, Admiralty Inlet,

Read second time.

Mr. Lewis moved that the rules be suspended; and C. M. No. 6, be read third time now.

Carried.

So the memorial was read third time and passed.

H. B. No. 32, an act to locate a territorial road from Yelm Prairie to Natchess river,

Read second time ; and,

On motion, the bill was read third time, passed and title agreed to.

On motion, the clerk was instructed to report the passage of C. B. No. 6 and H. B. No. 32 to the Council.

The Speaker appointed Mr. Oline as one of the committee on enrolled bills, instead of Mr. Tennant, who was excused from serving on said committee.

H. B. No. 34, an to prevent stud-horses, jackasses and ridglins from running at large, was taken from the table, with amendments thereto as recommended by the committee, and the report of the committee adopted.

Mr. Shead moved to further amend by striking out the word "five" and inserting "ten" in section 3, fourth line.

Carried.

Mr. McCall moved that the bill be laid upon the table, and be made the order of the day on February 10th.

Lost.

Mr. Biles moved that the bill be laid upon the table, and made the order of the day to-morrow.

Carried.

C. B. No. 4, an act to locate a territorial road from Monticello to upper Cascades, with the report of the committee, was taken from the table, and report adopted.

Mr. Caples moved to amend by striking out the name of H. L. Caples, and insert the name of W. H. Martin in section 1, second line.

Carried.

Mr. Biles moved that the bill be considered engrossed, and that it be read third time now.

Carried.

Bill read third time, passed and title agreed to.

On motion of Mr. Briscoe,

House adjourned.

EVENING SESSION.

The House having resumed business,

On motion, H. B. No. 35, with the report of the committee thereon, was taken from the table.

Read second time.

Mr. Biles moved that the bill be considered engrossed, and that it be read third time now.

Carried.

Read third time, passed and title agreed to.

H. B. No. 12, an act to establish the northern boundary line of Pacific county, was taken from the table, and in the absence of Mr. Briscoe, (the member elect from said county,) Mr. Catlin moved that it be laid upon table, and made the order of the day to-morrow.

Carried.

H. B. No. 28, an act to amend an act entitled an act to locate two

townships of land for the establishment of a university, was taken from table and continued on its second reading.

Mr. McCall moved to amend in section 3, third line, by striking out "any" and inserting "each."

Carried.

Mr. Biles moved that the bill be considered engrossed, and that it be read third time now.

Carried.

Read third time, passed and title agreed to.

H. B. No. 22, an act in relation to the construction of Roads and Highways, and defining the duties of Supervisors of Highways, with amendments as recommended by committee on Roads and Highways, was taken from the table, and on motion, the report of the committee was adopted.

Mr. Rutledge moved to amend in section 24, second and third lines, by striking out all of second line after the word "act," and all of third line.

Amendment lost.

Mr. Cline moved that section 9 be stricken out.

Lost.

Mr. Catlin moved that section 20 be stricken out.

Lost.

Mr. Catlin offered a substitute for section 33.

Which was adopted.

Mr. Tennant moved to amend by striking out "August" and inserting "November."

Carried.

Mr. Purdy moved to amend in section 31, third line, by inserting after the word "commissioners," "tax collectors."

Carried.

Mr. Cline moved to strike out the word "eight" and insert "seven" in section 24, fourth line.

Lost.

Mr. Biles moved that the bill be considered engrossed, and that now be assigned as the time for the third reading of the bill.

Carried.

Read third time, passed and title agreed to.

BUSINESS FROM THE COUNCIL.

C. J. R. No. 5, relative to adjournment *sine die*, was taken from the table, and

On motion of Mr. Stiles,

Laid upon the table, subject to the order of the House.

C. B. No. 10, an act to appoint officers for Skamania county,

Read first time.

C. B. No. 3, an act relating to minors and persons of unsound mind,

Read first time.

C. B. No. 7, an act appointing officers for Walla-Walla county,

Read first time.

C. B. No. 12, an act declaring the military road leading from Fort Simcoe to Fort Dalles a territorial road,

Read first time.

C. B. No. 9, an act appointing officers for Spokane county,

Read first time.

C. B. No. 11, an act relative to instructions by the court in civil actions,

Read first time.

On motion of Mr. Rutledge,

The House adjourned.

SATURDAY, JANUARY 15, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Biles, chairman of the committee on Judiciary, made the following report :

MR. SPEAKER :—The committee on Judiciary, to whom was referred H. B. No. 17, an act to incorporate the Sisters of Charity, have had the same under consideration, and I am instructed by a majority thereof to report the same back without amendment, and recommend that the bill do pass.

Also, the same committee, to whom was referred H. B. No. 25, an act relative to fences and fence viewers, have had the same under consideration, and have instructed me to report the same back with amendments, and recommend that it pass as amended.

J. D. BILES,
Chairman.

Second reading of bills.

C. B. No. 9, an act appointing officers for Spokane county,

Read second time.

Mr. Tennant moved that it be laid upon the table, and that Monday next be assigned as the time for the third reading of the bill.

Lost.

Mr. Biles moved that the bill be referred to a select committee of five.

Carried.

The Speaker appointed Messrs. Biles, Catlin, Briscoe, Carter and McCall said committee.

C. B. No. 3, relative to minors and persons of unsound mind,
Read second time ; and,

On motion of Mr. Hennessy,
Was referred to committee on Judiciary.

C. B. No. 10, an act appointing officers for Skamania county,
Read second time, and

Referred to same committee to whom was referred C. B. No. 9.

C. B. No. 11, an act relative to instructions by the court in the trial
of civil cases,

Read second time ; and,

On motion of Mr. Caples,
Referred to committee on Judiciary.

C. B. No. 7, an act appointing officers for Walla-Walla county,
Read second time ; and,

On motion of Mr. Stiles,
Referred to select committee to whom was referred C. Bs. No. 9
and 10.

C. B. No. 12, an act declaring the road leading from Fort Simcoe
to Fort Dalles a territorial road,

Read second time.

C. B. No. 13, an act declaring the road leading around the Cascade
Falls a territorial road,

Read second time.

H. B. No. 36, an act to amend an act entitled an act authorizing
officers to take acknowledgments, passed February 2d, 1858,

Read second time ; and,

On motion of Mr. Biles,
Considered engrossed, read third time, passed and title agreed to.

H. B. No. 37, an act to amend an act entitled an act to provide for
the appointment of a Librarian and defining his duties,

Read second time ; and,

On motion, considered engrossed, read third time, passed and title agreed to.

H. B. No. 34, an act to prevent jackasses, stud-horses and ridglins from running at large, taken from the table.

Mr. McCall moved to amend by adding, "nothing in this act shall be so construed as to apply to the country east of the Cascades or Wahkiakum county.

Carried.

Mr. Henness moved to amend in section 1, third line, by striking out the words "eighteen months" and inserting "two years."

Lost.

Mr. Caples moved that the bill be considered engrossed, and that now be assigned as the time for the third reading.

Carried.

Read third time.

Upon the passage of the bill, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Carter, Cline, Goddard, Howe, Lewis, Purdy, Rutledge, Smith, Stiles, Savage, and Mr. Speaker—14.

Those voting in the negative were—

Messrs. Catlin, Chapman, Gove, Hawk, Henness, Longmyre, McCall, Sylvester, Shead, and Tennant—10.

So the bill passed, and the title agreed to.

H. B. No. 17, an act to incorporate the Sisters of Charity, was taken from the table.

Mr. Caples moved that the bill be considered engrossed, and that now be assigned as the time for the third reading.

Carried.

Read third time.

Upon its final passage, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Howe, Judson, Mannen, Smith, Stiles, Weed, and Mr. Speaker—12.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Oline, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Purdy, Rutledge, Sylvester, Shead, Savage, and Tennant—15.

So the bill was lost.

H. B. No. 25, an act in relation to fences, fence viewers, &c., with report of committee thereon, taken from the table and read as amended by the committee, and the report of the committee adopted.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House that the Council adhere to their amendments to H. J. R. No. 7 and ask a committee of conference ; and that Messrs. Wiley and Maxon are said committee on the part of the Council.

Mr. Henness moved that the bill be read by sections.

Carried.

Mr. Henness moved to amend section 1, second line, by striking out "five" and insert "six."

Lost.

Mr. Stiles moved to amend section 9, third line, by striking out the words "clerk's office."

Carried.

Mr. Lewis moved to amend in section 7, fifth line, by striking out the words "clerk's office."

Carried.

Mr. Lewis moved to amend to section 7, third line, by striking out the words, "of the clerk."

Carried.

Mr. Henness moved to amend in section 1, second line, by adding after the word "feet," "six inches."

Carried.

Mr. Howe moved that H. B. No. 25 be referred to a select committee of five.

Carried.

The Speaker appointed Messrs. Howe, Henness, Gove, Stiles and Carter said committee.

Mr. Stiles moved that a committee of three be appointed as a committee of conference on the part of the House, to confer with the committee appointed by the Council, on H. J. R. No. 7, relative to enrolling clerk.

Upon which the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Catlin, Carter, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, Purdy, Rutledge, Stiles, Sylvester, Savage, Tennant, Weed, and Mr. Speaker—20.

Those voting in the negative were—

Messrs. Caples, Chapman, Howe, Judson—4.

So the motion to appoint a committee of conference prevailed.

Mr. Carter moved that when the House adjourn it adjourn to meet on Monday next at 10 o'clock, A. M.

Carried.

On motion, the House adjourned.

MONDAY, JANUARY 17, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Caples, Catlin, Chapman, Goddard, Gove, Hawk, Henness, Judson, Longmyre, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed and Mr. Speaker.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of H. J. M. No. 11, praying for the construction of bridges across the Nisqually and De Shutes rivers.

Also, that the Council have indefinitely postponed H. B. No. 24, an act to grant a charter for a steam boat on the Cowlitz river.

Also, that the Council have concurred in House amendments to C. B. No. 4, an act to locate a Territorial road from Monticello to the Upper Cascades.

Also, of the introduction in the Council of C. B. No. 17, an act conferring jurisdiction on the District Court of the county of Pierce.

Also, of the introduction of C. B. No. 18, an act relative to excluding jurors of a county on account of prejudice.

Journal of Saturday read and approved.

Mr. Tennant, chairman of select committee of conference, on the part of the House, to whom was referred H. J. R. No. 7, relative to enrolling clerk, made the following report:

REPORT AND RESOLUTIONS OF THE SELECT COMMITTEE, TO WHOM WAS REFERRED HOUSE JOINT RESOLUTION No. 7.

MR. SPEAKER:

Your committee to whom was referred H. J. R. No. 7, having had the same under consideration, beg leave to report as follows:

That it is the opinion of your committee that an enrolling clerk is highly necessary—in fact, absolutely indispensable to the proper perfecting of the business of the present Legislative Assembly, preparatory to its final adjournment. And furthermore:—that the enrollment of bills in any other manner than by a properly appointed officer, would be a measure fraught with evil—establish a bad precedent, calculated to defeat the labors of this Legislature and the ends of legislation, and one that would operate prejudicially to the best interests of the Territory.

Therefore, your committee earnestly recommend the passage of the following resolutions:

Be it resolved by the Legislative Assembly of the Territory of Washington, That the joint committee on Enrolled Bills be instructed to pro-

cure the services of some competent person to perform the duties of enrolling clerk, for the present session of the legislature, and who is willing to recognize the general government as the only source from which he expects to receive remuneration therefor; and that said joint committee be instructed to report to their respective Houses, within 24 hours after the passage of these Resolutions, whether the services of such person (as enrolling clerk) for and in consideration of the above specifications; (that is, that he is to look to the general government for his pay), can be obtained or not.

And be it further resolved, That if said joint committee fail to find a competent person within the time allotted, then said committee be, and are hereby instructed, forthwith, to employ a competent person to perform the duties of enrolling clerk, whose compensation, therefor, shall be drawn from the Territorial Treasury: *Provided,* that nothing in this resolution shall be so construed as to allow the person so employed, to draw pay for a longer time than he may be actually employed.

JAMES W. WILEY,

Chairman Committee, on part of Council.

JOHN A. TENNANT,

Chairman Committee, on part of House.

On leave, Mr. Henness presented H. B. No. 38, an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Read first time and ordered to a second reading.

Second reading of bills.

C. B. No. 13, continued on second reading, and

On motion of Mr. Chapman,

Was laid on the table.

C. B. No. 12, taken from the table, and

On motion of Mr. Tennant,

Considered engrossed, read a third time and passed, and title agreed to.

H. B. No. 4, an act to incorporate Cowlitz River Steam Navigation Company, was taken from the table.

Mr. Catlin moved to amend in Sec. V, line 6, and insert after the word "made"—freight and passenger fare.

Carried.

Mr. Mannen moved to strike out, in Sec. V, line 3, the word "five," and insert four.

Motion lost.

Mr. Henness moved that H. B. No. 4, be considered engrossed and that now be assigned as the time for its third reading.

Motion carried.

Bill read a third time and passed, and titled agreed to.

H. B. No. 6 was taken from the table, it being made the special order of the day, and

On motion of Mr. Stiles,

Was laid on the table subject to the order of the House.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of C. J. R. No. 6, relative to enrolling clerk.

C. J. R. No. 6, was taken from the table,

Read a first time, and

On motion of Mr. Biles,

The rules were suspended, and read a second time.

Mr. Briscoe moved to amend in 1st resolve, 11th line, by striking out the word "these" and insert "this."

Upon which motion the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Goddard, Gove, Henness, Judson, Mannen, Purdy, Smith, Stiles, Savage, Weed and Mr Speaker—17.

Those voting in the negative, were—

Messrs. Hawk, Longmyre, Lewis, McCall, Rutledge, Sylvester and Tennant—7.

So the motion to amend was adopted.

First resolve read a third time and passed, and

Second resolve of C. J. R. No. 6, laid on the table and made the order of the day to-morrow.

On motion, the Clerk was instructed to report to the Council, the action taken on C. J. R. No. 6.

Mr. Caples moved that when the House adjourns, it adjourn to meet at 10 o'clock, A. M., of the following day, until otherwise ordered.

Carried.

On leave, Mr. Biles presented H. B. No. 39, an act to amend an act amendatory to an act to regulate marriages, passed Jan. 27, 1855.

Read first time and ordered to a second reading.

Mr. Henness moved that H. B. No. 12, an act to define the northern boundary line of Pacific county, be taken from the table.

Carried.

Mr. Briscoe moved an indefinite postponement.

Carried, and H. B. No. 12 was indefinitely postponed.

On leave, Mr. Chapman presented H. B. No. 40, an act to define the boundary line of Pierce county.

On motion, House adjourned.

TUESDAY, JANUARY 18, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Stiles, Sylverter, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of H. B. No. 19, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Also, the passage of H. B. No. 21, an act to change the time of holding the sessions of the Commissioners' Court.

Also, the passage of H. B. No. 20, an act to amend an act entitled an act relating to County Assessors.

Also, the passage of H. B. No. 30, an act to authorize C. C. Vail to establish a ferry across the Lummi or Nootsack river.

Also, the introduction of C. B. No. 19, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Journal of yesterday read and approved.

Mr. Biles, chairman of select committee, made the following report :

MR. SPEAKER :—The select committee to whom was referred C. B. No. 7, an act appointing officers of Walla-Walla county, have had the same under consideration, and have instructed me to report the same back with the annexed amendment, and recommend that the bill do pass as amended.

Also, the same committee have had under consideration C. B. No. 9, an appointing officers for Spokane county, and have instructed me to report the same back without amendment, and recommend that the bill do pass.

Also, the same committee, to whom was referred C. B. No. 10, have had the same under consideration, and have instructed me to report the

same back with the annexed amendments, and recommend that the bill do pass as amended.

J. D. BILES,
Chairman.

Mr. Biles, chairman of committee on Judiciary, made the following report :

MR. SPEAKER :—The committee on Judiciary, to whom was referred C. B. No. 3, an act relative to minors and persons of unsound mind, have had the same under consideration, and have instructed me to report the same back and recommend that the bill be indefinitely postponed.

Also, the same committee, to whom was referred C. B. No. 11, an act relative to instructions by the court in the trial of civil actions, have had the same under consideration, and have instructed me to report the same back without amendments, and recommend that the bill do pass.

J. D. BILES,
Chairman.

Mr. Henness, of select committee to whom was referred H. B. No. 25, made the following report :

MR. SPEAKER :—The select committee to whom was referred H. B. No. 25, an act relative to fences and fence viewers, have had the same under consideration, and have instructed me report the same back with amendments, and recommend its passage.

B. L. HENNESS,
Chairman.

Mr. Carter, chairman of the committee on Education, made the following report :

The committee on Education, to whom was referred the revision of the School Laws, having received the report of Rev. J. F. Whitworth relative to the same, have instructed me to report the Laws, as revised, to this House for consideration.

CHAS. M. CARTER,
Chairman.

On leave, Mr. Catlin presented H. B. No. 41, an act to amend an act entitled an act to provide for the assessing and collecting County and Territorial revenue.

Read first time.

Third reading of bills.

H. J.M. No. 10, praying for an increase of pay per mile for surveying public lands,

Read third time and passed.

C. B. No. 7, an act appointing officers for Walla-Walla county, was taken from the table, with the report of the committee thereon.

Report adopted, and

On motion of Mr. Stiles,

The bill was considered engrossed, read third time, passed and title agreed to.

C. B. No. 9, an act appointing officers for Spokane county, was taken from the table, with the report of the committee thereon.

Report adopted, and

On motion of Mr. Stiles,

The bill was considered engrossed, read third time, passed and title agreed to.

C. B. No. 10, an act appointing officers for Skamania county, was taken from the table, with the report of the committee thereon.

Report accepted, and

On motion of Mr. Smith,

The bill was considered engrossed, read third time, passed and title agreed to.

C. B. No. 3, an act relative to minors and persons of unsound mind, was taken from the table, with the report of the committee thereon, and

On motion, the bill, with the report, was laid upon the table.

C. B. No. 11, an act relative to instructions by the court in trial of civil actions, was taken from the table, with the report of the committee thereon.

Report adopted, and

On motion, the bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 25, was taken from the table, with the report of the select committee thereon.

Report adopted, and

On motion of Mr. Caples,

The bill was considered engrossed, read third time, passed and title agreed to.

The report of the committee on Education, relative to School Laws, was taken from the table, and

On motion of Mr. Caples,

The revision of the School Laws (H. B. No. 44,) was laid upon the table and ordered printed.

On motion of Mr. Tennant,

C. J. R. No. 6 was taken from the table.

Mr. Stiles moved to strike out the second resolve.

Upon which motion, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Howe, Hennes, Judson, Mannen, Purdy, Smith, Stiles, Shead, Savage, Weed, and Mr. Speaker—17.

Those voting in the negative were—

Messrs. Catlin, Goddard, Gove, Hawk, Longmyre, McCall, Rutledge, Sylvester, and Tennant—9.

So the motion to strike out the second resolve carried.

On motion, read third time and passed as amended.

On motion of Mr. Tennant,

That there be added another member to the committee on Enrolled Bills,

Carried.

The Speaker appointed Mr. Caples said committee.

On leave, Mr. Gove presented H. B. No. 42, an act to locate a territorial road from Olympia to Stéilacoom,

Read first time.

On leave, Mr. Purdy presented H. B. No. 43, an act to locate a territorial road from Hood's Canal to Chehalis river,

Read first time.

O. J. B. No. 5, relative to adjournment, was taken from the table.

Mr. Tennant moved to amend by striking out "24th" and insert "29th."

Mr. Chapman moved to amend the amendment by inserting "31st."
Carried.

Resolution read third time and passed.

On motion, the House adjourned.

WEDNESDAY, JANUARY 19th, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Tennant, Weed and Mr. Speaker.

Message from the Council by their Clerk--

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of H. J. R. No. 6, relative to the election of Territorial officers, with amendments.

Also, the passage of H. J. M. No. 9, relative to the establishment of a military road from Seattle, on Puget Sound, via Snoqualmie pass, to Fort Colville.

Also, that the Council has indefinitely postponed H. B. No. 15, an act to confer civil jurisdiction on Judges of Probate.

Also, the passage of H. B. No. 31, an act to correct and amend an act entitled an act relative to Prosecuting Attornies, with an amendment.

Also, of the passage of H. B. No. 35, an act to locate the county seat of Clalm county.

Also, that the Council have indefinitely postponed H. B. No. 27, an act to define the boundary line between Sawamish and Thurston counties.

Journal of yesterday read and approved.

On leave, Mr. Rutledge presented H. B. No. 45, an act to incorporate Olympia Division, No. 2, Sons of Temperance.

Read a first time and ordered to a second reading.

On leave, Mr. Biles presented H. B. No. 46, an act to repeal an act conferring civil jurisdiction on Judges of Probate.

Read first time and ordered to second reading.

On leave, Mr. Henness presented H. B. No. 47, an act to define the west and north boundary line of Thurston county.

Read a first time and ordered to a second reading.

On leave, Mr. Goddard presented H. B. No. 48, an act to re-locate the Territorial University.

Read a first time and ordered to a second reading.

Second reading of bills.

H. B. No. 39, an act to amend an act amendatory to an act to regulate marriages, passed Jan. 29th, 1855.

Read a second time.

H. B. No. 38, an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Read second time.

Mr. Henness moved to refer the bill to committee on elections.

Mr. Caples moved to amend, by referring the bill to a select committee of three.

Motion, as amended, carried.

The Speaker appointed Messrs. Caples, Henness and Biles as said committee.

H. B. No. 40, an act defining the boundary lines of Pierce county.

Read a second time, and

On motion of Mr. Chapman,

Was referred to a select committee of five.

The Speaker appointed Messrs. Chapman, Lewis, Weed, Henness and Rutledge said committee.

H. B. No. 41, an act to amend an act entitled an act to provide for the assessing and collecting county and territorial revenue.

Read second time.

H. B. No. 42, an act to locate a Territorial road from Olympia to Steilacoom,

Read second time.

H. B. No. 43, an act to locate a Territorial road from Hood's Canal to Chehalis river,

Read a second time.

On leave, Mr. Stiles presented H. B. No. 49, an act to re-locate the Capitol of Washington Territory,

Read first time.

H. J. R. No. 6, relative to election of Territorial officers, taken from the table and read as amended by the Council.

Amendments concurred in by the House.

H. B. No. 31, an act to correct and amend an act entitled an act relative to Prosecuting Attorneys, was taken from the table, with the Council amendments.

Mr. Stiles moved it be laid upon the table.

Motion lost.

Mr. Tennant moved that the Council amendments be concurred in by the House.

Upon which motion the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Catlin, Gove, Hawk, Henness, Longmyre, Lewis, Sylvester, and Tennant—8.

Those voting in the negative, were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Goddard, Howe, Judson, Mannen, McCall, Purdy, Rutledge, Smith, Weed and Mr. Speaker—17.

So the House refused to concur in Council amendments.

On motion of Mr. Henness,

H. B. No. 23, an act to provide for the collection of county and territorial revenue, was taken from the table.

Mr. Purdy moved that the bill be indefinitely postponed.

Upon which motion the yeas and nays were called, and resulted as follows:

Those voting in the affirmative, were—

Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Goddard, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Sylvester, Weed and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Briscoe, Gove, Hawk, Howe, Henness, Stiles and Tennant—7.

So H. B. No. 23 was indefinitely postponed.

Mr. Chapman offered the following resolution:—

Resolved by the House of Representatives, That the Public Printer be required to furnish this House with 2000 copies of the letter and correspondence to this House of Gen. Harney, in accordance with the instruction of the committee on Printing.

Mr. Tennant moved to adjourn.

Upon the motion to adjourn the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Catlin, Gove, Hawk, Henness, Longmyre, McCall, Rutledge, Sylvester and Tennant—9.

Those voting in the negative, were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Goddard, Howe, Judson, Lewis, Mannen, Purdy, Smith, Stiles, Weed and Mr. Speaker—15.

So the motion to adjourn was lost.

The question being upon the adoption of the Resolution, it was carried.

Communication from B. P. Anderson, Esq., to the Speaker:—

OLYMPIA, W. T. }
January 19, 1859. }

SIR:—

I have just finished the compilation of the laws of our Territory pursuant to the joint resolution passed in December last. The private and local laws are not embraced in the work, except such as are of general interest to the people; all laws which have been repealed or are obsolete are left out. The amendments are so placed in and numbered that the Printer will readily understand how they are to be printed.

I have delivered the manuscript copy into the hands of the chairman of your joint committee, heretofore appointed to examine the work.

Very respectfully,

Your ob't servant,

BUTLER P. ANDERSON.

Hon. E. S. DYER, *Speaker of the House of Representatives,*
Olympia, Washington Territory.

C. B. No. 3, an act relative to minors and persons of unsound mind, was taken from the table,

Mr. Biles moved that the bill be indefinitely postponed.

Lost.

On motion of Mr. Catlin,

The House adjourned.

THURSDAY, JANUARY 20, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names :

Messrs. Caples, Catlin, Chapman, Carter, Goddard, Hawk, Howe, Henness, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of C. B. No. 17, an act conferring jurisdiction on the District Court of the County of Pierce.

Also, that the Council has concurred in House amendments to C. B. No. 10, an act appointing officers for Skamania county.

Also, that the Council has concurred in House amendments to C. B. No. 7, an act appointing officers for Walla-Walla county.

Also, the introduction of C. B. No. 20, an act to incorporate the Olympia Bridge Company.

Also, the introduction of C. B. No. 21, an act to incorporate the Cascade Railroad Company.

Also, the introduction of C. B. No. 22, an act relating to arbitrators.

Also, the introduction of C. B. No. 23, an act to amend an act regulating divorces.

Journal of yesterday read and approved.

Mr. Caples gave notice that on to-morrow, or some day soon thereafter, he would introduce a bill to incorporate the Milling and Transportation Company of Clarke county.

Third reading of bills.

H. B. No. 41, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue, was taken from the table, and

On motion of Mr. Henness,

The bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 42, an act to locate a territorial road from Olympia to Steilacoom, was taken from the table, and

On motion of Mr. Tennant,

The bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 43, an act to locate a territorial road from Hood's Canal to Chehalis river, was taken from the table, and

On motion of Mr. Biles,

The bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 39, an act to amend an act amendatory to an act to regulate marriages, was taken from the table and read.

Mr. Tennant moved to refer the bill to committee on Judiciary.

Lost.

Mr. Briscoe moved that the bill be considered engrossed and read third time now.

Carried.

So the bill was read third time, passed and title agreed to.

On leave, Mr. Judson presented H. B. No. 50, an act in relation to certain officers.

Read first time.

Mr. Biles presented the following report :

MR. SPEAKER :—The select committee (on the part of the House) to whom was referred the duty of examining into the report of B. P. Anderson, Esq., a member of the Board of commissioners authorized by the Legislature to revise and compile the Laws of Washington Territory, ask leave to report that Mr. Anderson has discharged the duty assigned to the said board of commissioners referred to, and that he has placed in the hands of the joint select committee what purports to be, and what your committee believe to be, an all-sufficient revision and compilation of the Laws of Washington Territory.

Your committee recommend that the report be laid upon the table of the House ; and that your committee be discharged from further consideration of the subject.

J. D. BILES,

Chairman.

On motion, the report was adopted and the committee discharged.

Mr. Carter, chairman of joint committee on Enrolled Bills, made the following report :

MR. SPEAKER :—The joint committee on Enrolled Bills, on the part of the House, have obtained the services of Butler P. Anderson, Esq., to act as Enrolling Clerk, and take the general government for his pay, have instructed me to so report to the House.

CHAS. M. CARTER,
Chairman.

On motion, the report was adopted.

C. B. No. 17, an act conferring civil jurisdiction on the district court of the county of Pierce,

Read first time.

On leave, Mr. Chapman presented H. B. No. 51, an act to exempt mechanics' tools from execution.

Read first time.

Rules suspended, read second time and amended, and

On motion, was referred to committee on Agriculture

On motion of Mr. Caples,

House adjourned.

FRIDAY, JANUARY 21, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Goddard, Hawk, Howe, Hennes, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Shead, Savage, Tennant, and Mr. Speaker.

Message from the Council by their Clerk:

MR. SPEAKER:—I am instructed by the Council to inform the House of the introduction of C. B. No. 24, an act to amend an act relative to Prosecuting Attorneys.

Also, the passage of H. B. No. 29, an act declaring all military roads to be territorial roads in the Territory of Washington.

Also, the passage of H. B. No. 32, an act to locate and establish a territorial road from the Yelm Prairie, in Thurston county, to a point on the Natchess river where the military road leaves the same.

Journal of yesterday read and approved.

On leave, Mr. Stiles presented H. B. No. 52, an act to dissolve the bonds of matrimony between Stillman Hendrick and Sarah N. Hendrick, accompanied with a petition.

Read first time.

On leave, Mr. McCall presented H. B. No. 52, an to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Read first time.

On leave, Mr. Lewis presented H. J. R. No. 9, praying to be better secured from fire in the Land Office.

Read first time.

On leave, Mr. Shead presented H. B. No. 54, an act to amend an act to provide for the assessing and collecting of County and Territorial revenue.

Read first time.

**COMMUNICATION FROM THE CAPITOL COMMISSIONER
TO THE SPEAKER.**

OFFICE COMMISSIONERS OF PUBLIC BUILDINGS,
Olympia, January 20, 1859.

Hon. E. S. DYER, Speaker of the House of Representatives—

SIR:—

Herewith I have the honor to transmit to the Legislative Assembly my report for the year 1858, as required by section 3d. of the act passed

January 5th, 1858, entitled "An Act to provide for the erection of the public buildings at the seat of government of the Territory of Washington."

I am sir, very respectfully, your obedient servant,

BENJAMIN HARNED,

Acting Commissioner.

OFFICE OF THE COMMISSIONERS OF PUBLIC BUILDINGS, }
Olympia, January 20th, 1859.

To the Legislative Assembly of the Territory of Washington:

In compliance with section 3rd of the act of the Legislative Assembly, passed January 5th, 1858, providing "For the erection of the public buildings at the seat of government of Washington Territory," I have to state: That inasmuch as section 11 of the Act aforesaid provides that "no part of the money appropriated by Congress for the erection of said Capitol building shall be applied to that purpose, or to improving a site for the same, until the title of Washington Territory to at least ten acres of land, including that whereon the present Capitol stands, shall be pronounced valid by the Attorney General of the United States," no action has been taken by the Board of Commissioners as to the erection of the building or the improvement of the grounds, and no expenditure of money has been made by the Acting Commissioner for two substantial reasons:

1st. At the advices from the Attorney General the title to the grounds had not been confirmed, owing to the fact that all the papers necessary to a full and final proof required by that officer, of the settlement of the original claimant, had not been sent forward. And,

2d. In view of the above fact, no portion or part of the funds appropriated have as yet been made available for application to the work.

As the lacking papers required by the Attorney General were transmitted on the 6th of November last, it is confidently expected that his decision will soon be received, the funds remitted to the Treasurer, and the Commissioners thereby be enabled to enter upon a vigorous prosecution of the work early the coming spring.

Respectfully submitted,

BENJAMIN HARNED,

Acting Commissioner.

Message from the Council by their Clerk:

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage in the Council of C. B. No. 20, an act to incorporate the Olympia Bridge Company.

H. B. No. 45, an act to incorporate Olympia Division No. 2, Sons of Temperance,

Read second time ; and,

On motion, referred to committee on Judiciary.

H. B. No. 46, an act to repeal an act to confer civil jurisdiction on Judges of Probate,

Read second time, and

Referred to committee on Judiciary.

H. B. No. 47, an act to define the west and north boundary lines of Thurston county,

Read second time, and

On motion, the bill, with petitions, &c., relative to same, was referred to a select committee.

The chair appointed Messrs. Henness, Carter and Purdy said committee.

H. B. No. 48, an act to relocate the Territorial University,

Read second time, and

On motion, referred to committee on Public Grounds and Buildings.

H. B. No. 49, an act to relocate the Capitol of Washington Territory,

Read second time, and

On motion, referred to committee on Public Grounds and Buildings.

H. B. No. 50, an act in relation to certain officers,

Read second time, and

On motion, referred to committee on Judiciary.

C. B. N. 17, an act conferring jurisdiction on the District Court of the County of Pierce,

Read second time, and

On motion, the rules were suspended, read third time, passed and title agreed to.

C. B. No. 3, an act relative to minors and persons of unsound mind,

On motion of Mr. Biles,

Was taken from the table, read third time, passed and title agreed to.

On motion of Mr. Howe,

The committee on Public Grounds and Buildings were requested to procure from the Capitol Commissioners, a correct plot of the ten acres of ground upon which the Capitol is located.

H. B. No. 6, an act repealing an act to increase County revenue, and the various amendments thereto,

On motion, was taken from the table, with report of the committee, and after various amendments, was recommitted to committee on Ways and Means.

C. B. No. 20, an act to incorporate the Olympia Bridge Company,
Read first time.

On motion of Mr. Biles,

The House adjourned.

SATURDAY, JANUARY 22, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Mannen, McCall, Purdy, Rutledge, Smith, Stiles, Shead, Tennant, Weed and Mr. Speaker.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of C. B. No. 22, an act relating to arbitrations.

Also, the passage of C. B. No. 23, an act to amend an act entitled an act regulating divorces.

Also, the passage of H. B. No. 4, an act to incorporate the Cowlitz river steam navigation company.

Also, the passage of H. B. No. 39, an act to amend an act amendatory to an act relative to marriages.

Also, that the Council refuse to recede from their amendments to H. B. No. 31, an act to correct and amend an act relating to Prosecuting Attornies.

Journal of yesterday read and approved.

On leave, Mr. Oline presented a petition from M. T. Chambers and 54 others, citizens of Clalm and Jefferson counties, relative to the boundary lines of said counties.

On motion of Mr. Purdy,

The petition was referred to committee on Counties.

On leave, Mr. Briscoe presented H. B. No. 55, an act to protect certain fisheries in Washington Territory.

Read a first time.

Second reading of bills.

H. J. R. No. 9, praying to be better secured from fire in the Land Office, in Washington Territory.

Read a second time,

H. B. No. 52, an act to dissolve the bonds of matrimony between Stillman Hendricks and Sarah N. Hendricks.

Mr. Briscoe moved that the rules be suspended and that the bill be read a third time now.

Mr. Rutledge moved to amend by laying the bill on the table and making it the order of the day on the 4th of July next.

Lost.

Mr. Tennant moved to amend by referring the bill to the committee on Judiciary.

Carried.

H. B. No. 53, an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Read a second time, and

On motion of Mr. McCall,

Was referred to committee on Elections.

C. B. No. 20, an act to incorporate the Olympia Bridge Company.

Read a second time, and

On motion, referred to a select committee from Thurston county.

The Speaker appointed Messrs. Henness, Hawk and Rutledge said committee.

This being the day appointed by both branches of the Legislative Assembly for the election of Territorial Officers, Mr. Biles moved that the Clerk be instructed to report to the Council, that the House were ready to meet the Council in joint convention, for the election of Territorial Officers.

Carried.

On motion, the House took a recess of ten minutes.

Upon re-assembling of the House, the Clerk informed the Council as per Resolution.

~~The~~ The Council having met the House in joint convention in the house of Representatives, formed a Joint Convention.

The President of the Council in the Chair.

On the roll being called, the following members answered to their names:

Of the Council—

Messrs. Denny, Fales, Maxon, Miller, Phillips, Wiley, Wallace, Woodard and Mr. President—9.

Of the House of Representatives—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Mannen,

McCall, Purdy, Rutledge, Smith, Stiles, Sylvester, Shead, Savage, Tennant, Weed and Mr. Speaker.—27.

Absent—Mr. Lewis.

The President stated that the object of the Joint Convention, was for the election of Territorial Officers, in pursuance of H. J. R. No. 6, passed Jan. 19, 1859, providing the election of one Territorial Printer, one Territorial Librarian, one Territorial Treasurer, one Brigadier General, and three Capitol Commissioners.

On motion of Mr. Chapman,

The Convention proceeded to the election of Territorial Officers *vice vacce*.

Mr. Chapman put in nomination the name of Charles Prosch, for Public Printer.

Mr. Biles put in nomination the name of Butler P. Anderson, for Public Printer.

Mr. Tennant put in nomination the name of Edward Furste, for Public Printer.

Upon the vote being taken, the result was as follows:

OF THE COUNCIL :

	<i>Furste.</i>	<i>Anderson.</i>	<i>Prosch.</i>
Denny,			1
Fales,	1.		
Maxon,	1		
Miller,	1		
Phillips,	1		
Wiley,	1		
Wallace,			1
Woodard,	1		
Mr. President,	1		
	7		2

OF THE HOUSE OF REPRESENTATIVES:

	<i>Furste.</i>	<i>Anderson.</i>	<i>Prosch.</i>
Biles,		1	
Briscoe,	1		
Caples,		1	
Catlin,	1		
Chapman,			1
Carter,		1	
Cline,		1	
Daniel,		1	
Goddard,	1		
Gove,	1		
Hawk,	1		
Howe,			1
Henness,	1		
Judson,		1	
Longmyre,	1		
Mannen,		1	
McCall,	1		
Purdy,		1	
Rutledge,	1		
Smith,		1	
Stiles,		1	
Sylvester,	1		
Shead,	1		
Savage,			1
Tennant,	1		
Weed,			1
Mr. Speaker,			1
Total,	19	10	3

Whole number of votes cast, 36.

Necessary to a choice, 19.

Edward Furste having received a majority of all the votes cast, was declared duly elected Territorial Printer.

The convention then proceed, *viva voce*, to the election of Territorial Librarian.

Mr. Stiles put in nomination the name of James C. Head.

Mr. Catlin put in nomination the name of Andrew J. Moses.

Upon a vote being taken, the result was as follows:

OF THE COUNCIL:

	<i>Moses.</i>	<i>Head.</i>	<i>Blank.</i>
Denny,			1
Fales,	1		
Maxon,	1		
Miller,	1		
Phillips,	1		
Wiley,	1		
Wallace,		1	
Woodard,	1		
Mr. President,	1		
	7	1	1

OF THE HOUSE OF REPRESENTATIVES:

	<i>Moses.</i>	<i>Head.</i>	<i>Blank.</i>
Biles,		1	
Briscoe	1		
Caples,		1	
Catlin,	1		
Carter,		1	
Cline,		1	
Daniel,		1	
Goddard,	1		
Gove,	1		
Hawk,	1		
Howe,		1	
Henness,	1		
Judson,		1	
Longmyre,	1		
Mannen,		1	
McCall,	1		
Purdy,		1	
Rutledge,	1		
Smith,			1
Stiles,		1	

	<i>Moses.</i>	<i>Head.</i>	<i>Blank.</i>
Sylvester,	1		
Sheed,	1		
Savage,	1		
Tennant,	1		
Weed,	1		
Mr. Speaker,	1		
Total,	22	11	2

Mr. Chapman voted for Mr. Maxon.

Whole number of votes cast, 36.

Necessary to a choice, 19.

Andrew J. Moses having received a majority of all the votes cast, was declared duly elected Territorial Librarian.

The Convention then proceeded to the election of Territorial Treasurer.

Mr. Tennant put in nomination the name of William Rutledge, Jr.

Mr. Judson put in nomination the name of D. L. Phillips.

Mr. Biles put in nomination the name of Mrs. Sarah Marville.

Mr. Savage put in nomination the name of G. W. Tyrill.

The President of the Convention announced his receipt of a communication from D. L. Phillips, Esq., withdrawing his name from before the Convention.

The vote being taken on the nominations, the result was as follows:

OF THE COUNCIL:

	<i>Rutledge.</i>	<i>Blank.</i>
Denny,		1
Biles,	1	
Maxon,	1	
Miller,	1	
Phillips,	1	
Wiley,	1	
Wallace,		1
Woodard,	1	
Mr. President,	1	
	7	2

OF THE HOUSE OF REPRESENTATIVES:

	<i>Rutledge.</i>	<i>Tyrell.</i>	<i>Blank.</i>
Biles,	1		
Briscoe	1		
Caples,	1		
Catlin,	1		
Chapman,		1	
Carter,	1		
Cline,	1		
Daniel,	1		
Goddard,	1		
Gove,	1		
Hawk,	1		
Howe,		1	
Hennes,	1		
Judson,	1		
Longmyre,	1		
Mannen,			1
McCall,	1		
Purdy,	1		
Rutledge,			1
Smith,	1		
Stiles,	1		
Sylvester,	1		
Shead,	1		
Savage,		1	
Tennant,	1		
Weed,	1		
Mr. Speaker,	1		
Total,	29	2	4

Mr. Howe voted for Mr. Chapman.

Whole number of votes cast, 36.

Necessary to a choice, 19.

William Rutledge, Jr., having received a majority of all the votes cast, was declared duly elected Territorial Treasurer.

On motion of Mr. Wiley,

Hon. H. J. G. Maxon was declared elected Brigadier-General, by acclamation.

The Convention then proceeded to the election of one of the Capitol Commissioners.

Mr. Chapman put in nomination the name of Thomas M. Chambers.

Mr. Henness put in nomination the name of James Biles.

Mr. Daniel put in nomination the name of U. G. Warbass.

Upon a vote being taken, the result was as follows:

OF THE COUNCIL:

	<i>Biles.</i>	<i>Chambers.</i>	<i>Warbass.</i>	<i>Blank.</i>
Denny,		1		
Fales,	1			
Maxon,	1			
Miller,	1			
Phillips,	1			
Wiley,	1			
Wallace,		1		
Woodard,	1			
Mr. President,	1			
	7	2		

OF THE HOUSE OF REPRESENTATIVES:

	<i>Biles.</i>	<i>Chambers.</i>	<i>Warbass.</i>	<i>Blank.</i>
Biles,		1		
Briscoe,	1			
Caples,		1		
Catlin,	1			
Chapman,		1		
Carter,		1		
Cline,				1
Daniel,	1			
Goddard,	1			

	<i>Biles.</i>	<i>Chambers.</i>	<i>Warbass.</i>	<i>Blank.</i>
Gove,	1			
Hawk,	1			
Howe,		1		
Hennes,	1			
Judson,		1		
Longmyre,	1			
Mannen,		1		
McCall,	1			
Purdy,		1		
Rutledge.	1			
Smith,		1		
Stiles,		1		
Sylvester,	1			
Shead,	1			
Savage,		1		
Tennant,	1			
Weed,		1		
Mr. Speaker,	1			
Total,	21	14		1

Whole number of votes cast, 36.

Necessary to a choice, 19.

James Biles having received a majority of all the votes cast, was declared duly elected one of the Capitol Commissioners.

The Convention then proceed to the election of the second Capitol Commissioner.

Mr. Fales put in nomination the name of Benjamin Harned.

Mr. Biles put in nomination the name of U. G. Warbass.

Upon the vote being taken, the result was as follows:

OF THE COUNCIL :

	<i>Harned.</i>	<i>Warbass.</i>	<i>Blank.</i>
Denny,			1
Fales,	1		
Maxon,	1		

	<i>Harned.</i>	<i>Warbass.</i>	<i>Blank.</i>
Miller,	1		
Phillips,	1		
Wiley,	1		
Wallace,		1	
Woodard,	1		
Mr. President,	1		
	7	1	1

OF THE HOUSE OF REPRESENTATIVES;

	<i>Harned.</i>	<i>Warbass.</i>	<i>Blank.</i>
Biles,		1	
Briscoe,	1		
Caples,		1	
Catlin,	1		
Chapman,		1	
Carter,		1	
Cline,		1	
Daniel,		1	
Goddard,	1		
Gove,	1		
Hawk,	1		
Howe,		1	
Hennes,	1		
Judson,		1	
Longmyre,	1		
Mannen,		1	
McCall,	1		
Purdy,		1	
Rutledge,	1		
Smith,		1	
Sylvester,	1		
Shead,	1		
Tennant,	1		
Weed,		1	
Mr. Speaker,	1		
Total,	20	13	1

Messrs. Stiles and Savage voted for Mr. Briscoe.

Whole number of votes cast, 36.

Necessary to a choice, 19.

Benjamin Harshed having received a majority of all the votes cast, was declared duly elected second Capitol Commissioner.

The Convention then proceeded to the election of the third Capitol Commissioner.

Mr. Maxon put in nomination the name of R. M. Walker.

Mr. Chapman put in nomination the name of Thomas M. Chambers.

Upon a vote being taken, the result was as follows:

OF THE COUNCIL:

	<i>Walker.</i>	<i>Chambers.</i>	<i>La Du.</i>	<i>Chapman.</i>	<i>Briscoe.</i>
Denny,		1			
Fales,	1				
Maxon,	1				
Miller,	1				
Phillips,	1				
Wiley,	1				
Wallace,		1			
Woodard,	1				
Mr. President,	1				
	7	2			

OF THE HOUSE OF REPRESENTATIVES:

	<i>Walker.</i>	<i>Chambers.</i>	<i>La Du.</i>	<i>Chapman.</i>	<i>Briscoe.</i>
Biles,			1		
Briscoe,	1				
Caples,					1
Catlin,	1				
Chapman,		1			
Carter,	1				
Cline,		1			
Daniel,		1			
Goddard,	1				
Gove,	1				
Hawk,	1				

Walker. Chambers. La Du. Chapman. Briscoe.

Howe,		1			
Hennes,	1				
Judson,		1			
Longmyre,	1				
Mannen,		1			
McCall,	1				
Purdy,		1			
Rutledge,	1				
Smith,	1				
Stiles,				1	
Sylvester,	1				
Shed,	1				
Savage,		1			
Tennant,	1				
Weed,		1			
Mr. Speaker,	1				
Total,	22	11	1	1	1

Whole number of votes cast, 36.

Necessary to a choice, 19.

R. M. Walker having received a majority of all the votes cast, was declared duly elected the third Capitol Commissioner.

The President stated that the object for which the two Houses had met in Joint Convention, was completed, and that the Council would then retire to their chamber.

The House having resumed session,

On motion, House adjourned.

MONDAY, JANUARY 24, 1859.

* House met pursuant to adjournment.

On the roll being called, the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Shead, Savage, Tennant, and Mr. Speaker.

Message from the Council by their clerk—

MR. SPEAKER:—

I am instructed by the Council to inform the House of the passage of H. B. No. 36, an act to amend an act authorizing officers to take acknowledgments, with amendments.

Also, the passage of H. B. No. 41, an act to amend an act entitled an act to provide for the assessing and collecting of county and territorial revenue.

Also, the passage of C. B. No. 24, an act to amend an act relative to prosecuting attorney.

Journal of Saturday read, corrected and approved.

Mr. Biles presented report of committee on Judiciary, as follows:

MR. SPEAKER:—

The committee on Judiciary, to whom was referred House Bill No. 46, an act to repeal an act conferring criminal jurisdiction on judges of probate.

House Bill No. 50, an act in relation to certain officers.

And House Bill No. 52, an act to dissolve the bonds of matrimony between Stillman Hendrick and his wife Sarah N. Hendrick, have had the several bills under consideration and have instructed me to report them back to the House and recommend that they do pass.

Also, the same committee have had under consideration House Bill No. 45, an act to incorporate Olympia Division No. 2, Sons of Temperance, and have instructed me to report the same back with the following amendment: strike out in line third, section 2, the word "against," and recommend that the bill do pass as amended.

J. D. BILES,
Chairman.

Mr. Sylvester, chairman of committee on P. G. and P. B., to whom was referred H. B. No. 48, an act to re-locate the Territorial University, beg leave to report that they have had the same under consideration and have instructed me, on behalf of the committee, to report the same back to the House and recommend that the bill be indefinitely postponed.

EDMUND SYLVESTER,

Chairman.

Mr. Sylvester, chairman of committee on P. G. and P. B., to whom was referred H. B. No. 49, an act to re-locate the capitol of Washington Territory, reported no action thereon and requested that another member be added to the committee for the consideration of the bill.

The request being granted the Speaker appointed Mr. Howe upon said committee.

Mr. Caples, chairman of Select committee, to whom was referred H. B. No. 38, an act to amend an act entitled an act relating to elections and the mode of supplying vacancies, made the following report:

MR. SPEAKER—

The special committee to whom was referred H. B. No. 38, have had the same under consideration and recommend that further action thereon be indefinitely postponed.

H. L. CAPLES,

Chairman.

Mr. Henness, of Select committee, to whom was referred H. B. No. 38, made the following minority report:

MR. SPEAKER—

The Select committee to whom was referred H. B. No. 38, an act to amend an act entitled an act in relation to elections and the mode of supplying vacancies, having had the same under consideration, and inasmuch as one of your committee has dissented from the views of the majority of said committee, the undersigned respectfully asks leave to submit a minority report, and recommend that the bill do pass.

B. L. HENNESS.

• Mr. Chapman, chairman of the committee to whom was referred H. B. No. 40, made the following report:

MR. SPEAKER—

The Select committee, to whom was referred H. B. No. 40, have had the same under consideration and have instructed me to report the same back with amendments, and that it do pass as amended.

Insert in eighth line so as to read, thence due east to the middle of the channel of White river, thence up said river to the summit of the Cascade Mountains in the Naches Pass.

J. M. CHAPMAN,

Chairman.

On leave being granted,

Mr. McCall presented H. B. No. 56, an act to re-view and re-locate a portion of the road lying between Cathlamet and Sidney S. Ford's.

Read a first time.

H. B. No. 55, an act to protect certain fisheries in Washington Territory.

Bill read a second time, and referred to a select committee.

H. B. No. 44, an act to establish a common school system for the Territory of Washington,

Was taken from the table, and

On motion of Mr. Howe,

Was laid upon the table and made the special order of the day for Wednesday next.

Mr. Carter, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER—

The joint committee on enrolled bills on the part of the House (to act with a similar committee on the part of the Council) have compared the enrolled with the engrossed bills, and have instructed me to report to the House the following bills as correctly enrolled, viz:

Council Bill No. 11.

Council Bill No. 9.

Council Bill No. 5.

Council Bill No. 2.

Council Bill No. 10.

Council Bill No. 4.

Council Bill No. 4.

Council Memorial No. 6.

Council Bill No. 12.

House Bill No. 35.

House Bill No. 8.

House Bill No. 5.

House Bill No. 19.

House Bill No. 21.

House Bill No. 10.

House Joint Memorial No. 11.

House Bill No. 13.

House Bill No. 7.

House Bill No. 20.

House Joint Memorial No. 8.

The committee find that on examination H. B. No. 30 was amended, limiting C. C. Vail's ferry charter to three years, and the bill is here enrolled allowing him to continue his charter for ten years.

The committee have instructed me to report the same back to the House for its action.

C. M. CARTER,
Chairman.

Message from the Council by their clerk—

MR. SPEAKER:—

I am instructed by the Council to inform the House of the passage of C. J. R. No. 7, relative to the appointment of a joint committee to inquire into the condition of the territorial library, and that the Council have appointed Messrs. Fales and Woodard as said committee on part of the Council.

Also, the passage of C. J. R. No. 8, relative to the introduction of new business.

Mr. Biles, chairman of Select committee, made the following report:

MR. SPEAKER:—

The special committee, to whom was referred House Bill No. 55, an act to protect certain fisheries in Washington Territory, have had the same under consideration, and a majority have instructed me to report the same back with the following amendments:

Strike out in line nine, in section first, the words "Point Ellis," and insert in lieu thereof "Upper Cascades."

That line third, in section second, be so amended as to read, after the words and costs of suit, "for each and every offence," and recommend that the bill do pass as amended.

J. D. BILES,

Third reading of bills.

H. B. No. 54, an act to amend an act to provide for the assessing and collecting of county and territorial revenue.

Bill read a third time, passed, and its title agreed to.

H. J. R. No. 9, praying to be better secured from fire in the land office of Washington Territory.

Resolution read a third time, and passed.

H. B. No. 46, an act to repeal an act to confer criminal jurisdiction on judges of probate,

Was taken from the table, with the report of the committee thereon.

The report accepted, and

On motion, the rules were suspended and read a third time.

Upon the passage of the bill the ayes and noes were demanded.

The following is the vote:

AYES—Messrs. Biles, Briscoe, Caples, Chapman, Carter, Daniel, Goddard, Henness, Judson, Mannen, McCall, Purdy, Shead, Savage, Weed, and Mr. Speaker—16.

NOES—Messrs. Catlin, Cline, Gove, Hawk, Howe, Longmyre, Lewis, Rutledge, Sylvester and Tennant—10.

So the bill passed, and the title was agreed to.

H. B. No. 50, an act in relation to certain officers was taken from the table with the report of the committee thereon.

The report of the committee was accepted, and

On motion of Mr. Biles,

Was considered engrossed, read third time, passed, and title agreed to.

H. B. No. 52, an act to dissolve the bonds of matrimony between Stillman Hendrick and Sarah N. Hendrick, was taken from the table, with the report of the committee thereon.

The report was accepted, and

On motion of Mr. Biles,

The bill was considered engrossed, and read a third time.

Upon the passage of which the yeas and nays were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Howe, Henness, Judson, Lewis, Mannen, McCall, Purdy, Sylvester, Savage, Weed, and Mr. Speaker—18.

Those voting in the negative were—

Messrs. Catlin, Goddard, Gove, Hawk, Longmyre, Rutledge, Shead and Tennant—8.

So the bill passed, and the title was agreed to.

H. B. No. 45, an act to incorporate Olympia Division No. 2, Sons of Temperance,

Was taken from the table with the amendments as recommended by the committee, and the amendments adopted.

Mr. Henness moved to amend in the second section, line 12th, by striking out "twenty" and inserting "ten."

Carried.

On motion of Mr. Rutledge,

The bill was considered engrossed, read third time, passed, and title agreed to.

H. B. No. 38, an act to amend an act entitled an act in relation to holding elections and the mode of supplying vacancies,

Was taken from the table, with the reports of the committees thereon,

Mr. Tennant moved that the minority report be adopted.

Upon which the ayes and noes were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Briscoe, Catlin, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Rutledge, Sylvester, Shead and Tennant—12.

Those voting in the negative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Daniel, Goddard, Howe, Judson, Mannen, Purdy, Savage, Weed, and Mr. Speaker—14.

So the House refused to adopt the minority report.

Mr. Biles moved that the majority report be adopted.

Upon which the ayes and noes were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Daniel, Howe, Judson, Mannen, Purdy, Savage, Weed, and Mr. Speaker—13.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Rutledge, Sylvester, Shead, and Tennant—13.

So the House refused to adopt the majority report.

Mr. Chapman moved that H. B. No. 38 be indefinitely postponed.

Upon which the ayes and noes were demanded.

A call of the House was had, and Mr. Stiles was absent.

The Sergeant-at-Arms was instructed to bring in Mr. Stiles.

Mr. Catlin moved to adjourn.

Lost.

Mr. Catlin moved that a further call of the House be dispensed with.

Lost.

Sergeant-at-Arms reported Mr. Stiles present.

The Speaker announced that he was about to sign the following bills and memorials:

Council Bill No. 11.

Council Bill No. 9.

Council Bill No. 5.

Council Bill No. 2.

Council Bill No. 10.

Council Bill No. 7.

Council Bill No. 4.

Council Bill No. 12.

Council Memorial No. 6.

House Bill No. 35.

House Bill No. 8.

House Bill No. 5.

House Bill No. 19.

House Bill No. 21.

House Bill No. 10.

House Bill No. 13.

House Bill No. 7.

House Bill No. 20.

House Joint Memorial No. 8.

House Joint Memorial No. 11.

Mr. Caples moved that a further call of the House be dispensed with.

Carried.

Mr. Howe moved the previous question;

The question being, shall the main question now be put?

Carried.

Shall H. B. No. 38 be indefinitely postponed, resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Caples, Chapman, Carter, Cline, Daniel, Goddard, Howe, Judson, Lewis, Mannen, Purdy, Stiles, Savage, Weed, and Mr. Speaker—16.

Those voting in the negative were—

Messrs. Briscoe, Catlin, Gove, Hawk, Hennessey, Longmyre, McCall, Ratledge, Sylvester, Shead, and Tennant—11.

So the bill was indefinitely postponed.

On motion, the House adjourned.

TUESDAY, JANUARY 25, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, McCall, Purdy, Rutledge, Sylverter, Shead, Savage, Tennant, and Mr. Speaker.

Message from the Council by their clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the passage of C. B. No. 25, an act to incorporate an institution of learning and charitable purposes in the County of Clarke.

Journal of yesterday read and approved.

On leave, Mr. Judson presented H. J. M. No. 13, relative to the election of Governor and Judges by the people of the Territory.

Read first time,

Rules suspended and read second time.

Mr. Tennant moved that the memorial be referred to the committee on Memorials.

Upon which motion, the yeas and nays were demanded, resulting as follows :

Those voting in the affirmative were—

Messrs. Catlin, Goddard, Gove, Hawk, Longmyre, McCall, Rutledge, Sylvester, and Tennant—9.

Those voting in the negative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Howe, Henness, Judson, Purdy, Shead, Savage, and Mr. Speaker—14.

So the motion to refer was lost.

Mr. Chapman moved that the rules be suspended, and that the memorial be read third time now.

Upon which the yeas and nays were demanded, which resulted as follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Goddard, Howe, Henness, Judson, Purdy, Sylvester, Shead, Savage, Weed, and Mr. Speaker—17.

Those voting in the negative were—

Messrs. Catlin, Gove, Hawk, Longmire, McCall, Rutledge, and Tennant—7.

So the motion to read third time carried.

Memorial read third time.

Upon its passage the yeas and nays were demanded, and resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Howe, Henness, Judson, Purdy, Sylvester, Shead, Savage, Weed, and Mr. Speaker—18.

Those voting in the negative were—

Messrs. Gove, Hawk, Longmyre, McCall, Rutledge, and Tennant—6.

So the resolution passed.

Mr. Sylvester, chairman of committee on Public Grounds and Buildings, made the following report :

MR. SPEAKER :—The committee on Public Grounds and Buildings, to whom was referred H. B. No. 49, an act to re-locate the Capitol of Washington Territory, have had the same under consideration, and have instructed me to report (in behalf of the majority) the same back to the House, and recommend that further action thereon be indefinitely postponed.

EDMUND SYLVESTER,
Chairman.

Mr. Tennant, of the committee on Ways and Means, made the following report :

MR. SPEAKER :—The committee on Ways and Means, to whom was referred H. B. No. 6, have had the same under consideration, and have

instructed me to report the accompanying bill as a substitute for H. B. No. 6, and recommend its passage.

JOHN A. TENNANT,

A member of said committee.

Mr. Henness, chairman of select committee to whom was referred C. B. No. 20, made the following report :

MR. SPEAKER :—The select committee to whom was referred C. B. No. 20, an act to incorporate Olympia Bridge Company, have had the same under consideration, and I have instructed me to report the same back with amendments, and recommend that the bill do pass as amended.

B. L. HENNESS,

Chairman.

On leave, Mr. Briscoe presented H. B. No. 57, an act to provide for the publication of the compiled Laws of Washington Territory,

Read first time.

On leave, Mr. Rutledge presented H. B. No. 58, an act supplemental to an act entitled an act to increase County revenue,

Read first time.

B. B. No. 55, an act to protect certain Fisheries in Washington Territory, was taken from the table, with the report of the committee thereon.

The report of the committee was adopted.

On motion of Mr. Biles,

The bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 49, an act to relocate the Territorial University, was taken from the table, with the report of the committee thereon, recommending the bill do pass as amended.

On 5th day of Feb 1889, at 10 o'clock A.M. the following bills were taken from the table:

11

Laid upon the table.

C. B. No. 20, an act to incorporate the Olympia Bridge Company, was taken from the table, with the report of the committee thereon, and

On motion, the report of the committee adopted.

The bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 49, an act to re-locate the Capitol of Washington Territory, was taken from the table, with the report of the committee thereon, recommending an indefinite postponement of the bill.

The report was adopted, and the bill indefinitely postponed.

H. B. No. 40, an act to define the boundary lines of Pierce county, was taken from the table, with the report of the committee thereon, and

On motion of Mr. Lewis,

The report was adopted.

On motion of Mr. Chapman,

The bill was considered engrossed, read third time, passed and title agreed to.

C. J. R. No. 7, relative to committee on Territorial Library,

Read first time.

On motion, the rules were suspended, and read second time.

On motion, the rules were further suspended, read third time and passed.

The Speaker appointed Messrs. Coffey, Ward, and Cline as a committee on the bill.

C. J. R. No. 8, relative to the Territorial Library,

Read first time.

The (amended) bill was read a second time.

C. B. No. 21, an act to amend an act relating to Prosecuting At-

torneys.

C. B. No. 21, an act to amend an act relating to Prosecuting At-
torneys,

Read first time.

Mr. Biles moved that the bill be indefinitely postponed.

Upon which the yeas and nays were demanded, which resulted as
follows :

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Daniel, and Lewis
—7.

Those voting in the negative were—

Messrs. Catlin, Cline, Goddard, Gove, Hawk, Henness, Judson,
Longmire, McCall, Rutledge, Sylvester, Shead, Savage, Tennant, and
Mr. Syeaker—15.

So the House refused to indefinitely postpone the bill.

Mr. Tennant moved that the rules be suspended, and the bill be read
second time now.

Carried.

Read second time.

Mr. Tennant moved that the rules be further suspended, and that
the bill be read third time now.

Mr. Caples moved to amend by referring to committee on Judiciary.

Carried.

Bill so referred.

C. B. No. 23, an act to amend an act entitled an act regulating di-
vorces,

Read first time.

On motion, the House adjourned.

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WEDNESDAY JANUARY 24 1888

(The roll called and answered.)

(The roll being called, the following members answered to their names):

Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Goddard, Grove, Hawk, Howe, Henness, Judson, Longmire, Lewis, Mannen, McCall, Purdy, Rutledge, Sylvester, Shead, Savage, Tennant, and Mr. Speaker.

Journal of yesterday read and approved.

Message from the Council.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage of

C. B. No. 26, an act to incorporate Washington Division No. 5, Sons of Temperance.

Also, the passage of H. B. No. 42, an act to locate a territorial road from Olympia, in Thurston county, to Steilacoom, in Pierce county.

Also, the passage of H. B. No. 43, an act to locate a territorial road from a point on Hood's Canal, at or near A. D. Fisher's land claim, to the head of tide-water on Chehalis river.

Also, the passage of H. B. No. 22, an act in relation to the construction of roads and highways, and defining the duties of supervisors of highways.

Also, that the Council has indefinitely postponed H. B. No. 25, an act regulating fencing and fence viewers.

Also, the passage of C. B. No. 21, an act entitled "an act to incorporate the Cascade Railroad Company.

Also, of the passage of H. B. No. 45, an act to incorporate Olympia Division No. 2, Sons of Temperance.

Mr. Henness, Chairman of the committee on Claims, made the following report:

MR. SPEAKER—

The committee on Claims having had under consideration the petition of W. W. Armstrong, have instructed me to report the memorial back

for the further action of the House, and ask to be discharged from further consideration of the petition.

B. L. HENNESS,
Chairman.

Mr. Henness, of select committee, to whom was referred H. B. No. 47, an act to define the north and west boundary line of Thurston county, having had the same under consideration and inasmuch as one of your committee has dissented from the views of the majority, the undersigned respectfully asks leave to submit a minority report, and recommend that the bill do pass with the annexed amendments:

Insert in 8th line, section 1st, after the word "to," "a point due west of the head of," and after the word "inlet," same line, insert "thence due east to the head of said Inlet.

B. L. HENNESS.

Mr. Carter, of the aforesaid committee, made the following report:

MR. SPEAKER—

The select committee of three to whom was referred H. B. No. 47, an act to define the west and north boundary line of Thurston county, have had the same under consideration, and the undersigned begs leave to submit his report dissenting from one or more of said committees. Inasmuch as the citizens of Chehalis county have remonstrated against the annexation of any of their territory to Thurston county, I cannot, in their behalf, nor on my own part, agree to the removal of the county line any further west. As for the boundary line between Thurston and Sawamish counties, I submit it to the action of the House.

C. M. CARTER.

Mr. Purdy, of the aforesaid committee, made the following report:

MR. SPEAKER—

The select committee to whom was referred H. B. No. 47, an act to define the west and north boundary lines of Thurston county, with petitions, &c., relative to same, have had the same under consideration, and inasmuch as your committee cannot agree, I beg leave to present a report dissenting from a portion of that part of the proposed boundary in the bill north of town line between townships 18 and 19, as it makes Totten Inlet a part of the boundary line, for which the petitioners did not ask, and evidently did not desire to take any territory from Sawamish county, but to more definitely define the boundary line by establishing it

on township lines, between 18 and 19, terminating on Mud Bay (Eld's Inlet,) thence along the present line to place of beginning. Yet the proposed line of the petitioners takes from the county of Sawamish a strip of land at least three miles in width by ten in length, the dividing ridge of the Black Hills being the present boundary line. H. B. No. 47, does not establish the old boundary lines, but takes a portion from Sawamish county, by making Totten's Inlet a part of the boundary, to which a minority of the committee dissent, and would recommend that the township line between townships 18 and 19 north, as per petition, be established between Thurston and Sawamish counties, and in lieu for what this line would take from Sawamish, that part of land lying between Eld's and Totten's inlet, be added to Sawamish county. And your committee would recommend the following amendment to the bill:

Strike out in section 1, fourth line, all after the word "to," and insert "township line, between 18 and 19 north; thence east along said line, to the middle of the main channel of Eld's Inlet; thence northerly along said channel, to Puget Sound; thence along the middle of main channel of Puget Sound, to a point in the middle of said channel opposite the mouth of Case's Inlet.

E. C. PURDY.

On leave being granted,

Mr. Shead presented a bill, H. B. No. 59, an act to amend an act entitled "an act to create and establish the office of county surveyor."

Read first time.

Second reading of bills.

H. B. No. 56, an act to review a portion of the territorial road lying between Cathlamet and S. S. Ford's, read second time; and,

On motion of Mr. McCall,

Referred to committee on Roads and Highways.

H. B. No. 57, an act to provide for the publication of the compiled laws of Washington Territory, read second time.

Mr. Briscoe moved that the blank in section 1, second line, be filled by inserting 500.

Carried.

Mr. Henness moved to refer to the committee on Judiciary.

Carried.

H. B. No. 58, an act supplemental to an act entitled "an act to increase county revenue, read second time, and on motion, referred to the committee on Commerce.

C. B. No. 22, an act relating to arbitrations, read second time.

C. B. No. 23, an act to amend an act entitled "an act regulating divorces," read second time; and,

On motion of Mr. Howe,

Referred to committee on Enrolled Bills.

The petition of W. W. Armstrong, with the report of the committee thereon, was taken from the table.

Report accepted, and on motion laid upon the table with the petition.

H. B. No. 47, an act to define the west and north boundary lines of Thurston county, was taken from the table with the report of the committee thereon.

Mr. Briscoe moved to lay upon the table.

Lost.

Mr. Tennant moved that the bill, together with the reports and papers relative thereto, be referred to committee on Counties.

Carried.

C. B. No. 26, an act to incorporate Washington Division No. 5, Sons of Temperance, read first time; and,

On motion of Mr. Caples,

Rules suspended and read second time.

Mr. Henness moved to amend in section 2d, 14th line, by striking out "50" and inserting "10."

Mr. Biles moved to amend the amendment by inserting "25" instead of "10."

Amendment to the amendment adopted, and on motion the rules were further suspended, read third time, passed, and title agreed to.

C. B. No. 25, an act to incorporate an institution of learning and charitable purposes in the county of Clarke, read first time, and on motion the rules were suspended and the bill read second time.

Mr. Briscoe moved to refer to committee on Corporations.

Mr. Biles moved to amend by referring to a select committee of three.

Carried.

The speaker appointed Messrs. Biles, Briscoe and Weed, said committee.

C. B. No. 21, an act to incorporate the Cascade Railroad Co., read first time.

H. B. No. 44, an act establishing a common school system for the Territory of Washington, was taken from the table and discussed, and on motion was laid upon the table and made the order of the day for tomorrow.

On motion of Mr. Hawk,

The House adjourned.

THURSDAY, JANUARY 27, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names:

Messrs. Caples, Catlin, Chapman, Daniel, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Lewis, McCall, Purdy, Rutledge, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Message from the Council by their clerk—

MR. SPEAKER:—

I am instructed by the Council to inform the House of the passage of C. B. No. 8, an act authorizing Stephen Bonser and Silas D. Maxon to establish a ferry across the Columbia river; the same being a substitute for the original bill introduced in the Council.

Also, the passage of C. B. No. 27, an act to incorporate the town of Olympia.

Also, the passage of H. J. R. No. 9, praying to be better secured from fire in the land office of Washington Territory.

Also, the passage of H. J. M. No. 10, praying for an increase of pay per mile for surveying public lands.

Also, that the Council has concurred in House amendments to C. B. No. 20, an act to incorporate the Olympia Bridge Company.

Also, the passage of H. B. No. 46, an act to repeal an act to confer criminal jurisdiction on judges of probate, with amendments.

Also, the passage of H. J. M. No. 12, relative to the free navigation and improvement of Duwamish and White rivers.

Mr. Daniel, chairman of committee on enrolled bills, made the following report:

MR. SPEAKER:—

The committee on enrolled bills, to whom was referred C. B. No. 23, an act to amend an act entitled an act regulating divorces, have examined the same and have instructed me to report it back to the House as being properly enrolled.

T. DANIEL,

Chairman.

Mr. Biles, chairman of committee on Judiciary, made the following report:

MR. SPEAKER:—

The committee on Judiciary, to whom was referred H. B. No. 57, an act to provide for the publication of the compiled laws of Washington Territory, have had the same under consideration and have instructed me to report the same back without amendment and recommend that it do pass.

J. D. BILES,

Chairman.

Mr. Rutledge, chairman of committee on Roads and Highways, reported as follows:

MR. SPEAKER:—

The committee on Roads and Highways, to whom was referred H. B. No. 56, an act to re-view and re-locate so much of the territorial road leading from Cathlamet to S. S. Ford's as lies between the house of John J. Elliot and the south end of the Bois Fort Prairie, have had the same under consideration and beg leave to report the same back to the House without amendment and recommend that it do pass.

WM. RUTLEDGE
Chairman.

Mr. Catlin, chairman of committee on the part of the House to examine the territorial library, reported as follows:

MR. SPEAKER:—

The joint committee on territorial library have examined into the condition of the library and find that there are more books in the library than are accounted for, there being no complete catalogue of books. Your committee would recommend that the librarian be instructed to re-arrange the books; and that a complete catalogue be made out.

JOHN CATLIN,
Chairman on part of the House.

On leave, Mr. Rutledge presented H. B. No. 60, an act to incorporate Tum-Water Division No. 3, Sons of Temperance.

Read a first time.

On leave, Mr. Rutledge presented H. B. No. 61, an act to incorporate Grand Mound Division No. 4, Sons of Temperance.

Read a first time.

Mr. Biles, chairman of select committee, made the following report:

MR. SPEAKER:—

The special committee, to whom was referred C. B. No. 25, an act to incorporate an institution of learning and charitable purposes in Clark county, have had the same under consideration and have instructed me to report the same back with the following amendment: Strike out in line

eleven of section 8, the word "seventy" and insert in lieu thereof "twenty," and the committee recommend that the bill do pass as amended.

J. D. BILES,
Chairman.

On leave, Mr. Shead presented H. B. No. 62, an act for the relief of counties in debt.

Read first time.

Mr. Tennant moved to suspend rules, and that House Bills Nos. 60 and 61 be read second time now.

Carried.

H. B. No. 60 read second time.

H. B. No. 61 read second time.

Mr. Rutledge moved that the rules be further suspended, and that H. B. No. 61, an act to incorporate Grand Mound Division No. 4 Sons of Temperance, be read a third time now.

Carried.

Mr. Rutledge moved to amend by striking out "ten" and inserting "twenty" in Sec. 2, 8th line.

Carried.

Bill read a third time, passed, and its title agreed to.

On motion, H. B. No. 60, an act to incorporate Tum-Water Division No. 3, Sons of Temperance,

Was read third time, passed, and title agreed to.

C. B. No. 21, an act to incorporate the Cascade Railroad Company,

Was read a second time, and

On motion of Mr. Biles,

Referred to a select committee of five.

The Speaker appointed Messrs. Biles, Catlin, Caples, Briscoe and Judson as said committee.

C. B. No. 22, an act in relation to arbitrators,

Was taken from the table.

Mr. Biles moved to amend by inserting in Sec. 4, line 8th, after "arbitrator," "after having given his consent to sit and hear any cause."

Carried.

Mr. Rutledge moved that the rules be suspended, and that the bill be read a third time now.

Carried.

Bill read a third time, and upon its final passage was lost.

On motion, the petition of W. W. Armstrong was taken from the table and referred to a select committee of three.

The Speaker appointed Messrs. Howe, Cline and Weed said committee.

H. B. No. 57, an act to provide for the publication of the compiled laws of Washington Territory, was taken from the table with the report of the committee thereon.

Report adopted.

Mr. Henness moved to strike out in section 1, line 4th, "500," and insert "2,000."

Lost.

Mr. Shead moved the bill be laid upon the table.

Lost.

Mr. Henness moved to amend by striking out in section 1, line 4th, "500," and inserting "1,000."

Lost.

Mr. Catlin moved to add another section—

Sec. 4. Nothing in this act shall be so construed as to entitle the Public Printer to draw pay from the Territorial Treasury for publication as provided in this act.

Carried.

Upon motion the rules were suspended, and bill read third time.

Upon the passage of the bill the ayes and noes were demanded.

A call of the House was had, and Messrs. Carter, Weed and Stiles were absent.

Mr. Biles stated that Mr. Stiles was sick and unable to attend.

On motion, Mr. Stiles was excused from attendance.

The Sargeant-at-Arms was instructed to bring in Messrs. Carter and Weed.

Mr. Chapman moved that when the House adjourns, it adjourn to meet at 2 o'clock, P. M.

Lost.

A further call of the House being dispensed with the previous question was demanded, and resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Howe, Judson, Longmyre, Lewis, Mannen, McCall, Purdy, Rutledge, Sylvester, Shead, Savage, Weed, and Mr. Speaker—26.

So the bill passed unanimously, and the title was agreed to.

Report of committee on the library was taken from the table and adopted.

C. B. No. 25, an act to incorporate an institution of learning and charitable purposes in the county of Clarke,

Was taken from the table, with the report of the committee thereon, report adopted, and on motion,

The bill was considered engrossed, read third time, passed, and title agreed to.

Mr. Henness presented a protest signed by himself and Mr. Tennant, and asked that it be put upon the journal.

Mr. Carter asked the privilege of recording his vote as voting for the passage of H. B. No. 57.

Granted by the House, and the vote so recorded.

Mr. Catlin moved that the gentleman from Thurston, Mr. Hennes, and the gentleman from Whatcom, Mr. Tennant, be allowed the privilege of entering their protest upon the journal on the final passage of H. B. No. 57.

Upon which the ayes and noes were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Caples, Catlin, Carter, Oline, Daniel, Goddard, Grove, Hawk, Howe, Judson, Longmyre, Lewis, McCall, Purdy, Rutledge, Sylvester, Savage, Weed, and Mr. Speaker—19.

Those voting in the negative were—

Messrs. Briscoe, Chapman, and Shead—3.

So the motion was carried, and the following protest spread upon the journal.

MR. SPEAKER—

The undersigned ask leave to record their objections against the final passage of H. B. No. 57. Our reasons for opposing the measure are:

First, that there exists a doubt in our minds as to the legality of one man doing the work of a commission of three, and

Second, if it should be so decided by Congress then this territory will become liable for the printing and compilation of the laws.

B. L. HENNESS,

JOHN A. TENNANT.

H. B. No. 23, an act regulating divorces, was taken from the table with the report of the committee thereon, and on motion was re-committed to the joint committee on enrolled bills.

On leave, Mr. McCall presented H. B. No. 64, an act to incorporate Monticello Division No. 1, Sons of Temperance.

Read first time.

Rules suspended and bill read second time.

On motion the rules were further suspended, read third time, passed, and title agreed to.

H. B. No. 44, [an act to establish a common school law in Washington Territory,

Was read a first time; rules suspended and read second time by title.

Mr. Catlin moved to amend in chapter 1, section 2, line 2d, by striking out "three" and inserting "one."

Mr. Biles moved to amend the amendment by inserting "two."

The amendment to the amendment was adopted.

Mr. Biles moved to amend in chapter 2, section 13, line 3d, by striking out the word "five" and inserting "one."

Carried.

Mr. Tennant moved to amend by striking out in chapter 4, sections 7, 8, 9 and 10, and insert,

Any district organizing and reporting to the county superintendent shall be entitled to draw all monies that may be in the county treasury due such district; and it shall be the duty of the clerk of such district to let out all county funds thus acquired at interest, for the use of the district, on good security, until such time as it may be required for school purposes in said district. The clerk of the district and his securities shall also be responsible for such money.

Amendment adopted.

Mr. Howe moved to amend by striking out in chapter 4, section 21, 4th line, all after the word "school," all of 5th line in said section, and all of 6th line to the word "and."

Also, in section 23 of the aforesaid chapter, strike out in the first line all after the word "property," and in second line strike out the word "resident;" also, same line, strike out the word "without," and insert "by;" also, strike out all of third line after the word "purpose;" also, all of fourth line.

Amendment adopted.

Mr. Caples moved to amend in chapter 4, section 29, line 1st, by striking out "inhabitant," and inserting "citizen" of this territory.

Motion adopted.

Mr. Chapman moved to amend by inserting after the word "brick," in chapter 4, section 35, line 6, the word "log."

Carried.

On motion, the bill was considered engrossed, read third time, passed, and title agreed to.

On motion, the House adjourned.

FRIDAY, JANUARY 28, 1859.

House met pursuant to adjournment,

On the roll being called, the following members answered to their names :

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Daniel, Goddard, Gore, Hawk, Howe, Henness, Judson, Longmire, Lewis, Mannen, McCall, Rutledge, Stiles, Sylvester, Sheaf, Savage, Tennant, Weed, and Mr. Speaker.

Message from the Council by their Clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House of the introduction of C. B. No. 28, an act to amend an act to provide for the appointment of a Librarian and defining his duties.

Also, the introduction of C. B. No. 29, an act to prohibit Negroes, Mulattoes and persons of African descent from residing in Washington Territory.

Also, that the Council has indefinitely postponed H. B. No. 50, an act in relation to certain officers.

Also, the passage of C. B. No. 15, an act increasing the salary of Territorial Auditor.

Also, the passage of H. B. No. 34, an act to prevent stud-horses, jackasses and ridglins from running at large.

Also, that the Council has concurred in House amendments to C. B. No. 26, an act to incorporate Washington Division No. 5, Sons of Temperance.

Also, of the introduction and passage of C. B. No. 30, an act to incorporate Grand Mound Division No. 4, Sons of Temperance.

Also, the passage of H. J. M. No. 13, praying to be allowed the privilege of electing our Governors and Judges in the Territory, with amendments.

Journal of yesterday read and approved.

Mr. Howe asked leave to present a petition from the citizens of Jefferson County, relative to County lines, which

On motion of Mr. Howe,

Was referred to committee on Counties.

On leave, Mr. Catlin presented petitions, asking that I. H. Bush or W. C. Holman be allowed to establish a ferry across the Columbia river.

Mr. Biles, chairman of committee on Judiciary, made the following report :

MR. SPEAKER :—The committee on Judiciary, to whom was referred C. B. No. 24, an act to amend an act relative Prosecuting Attorneys, have had the same under consideration, and have instructed me to report the same back with the following amendments :

In section 1, seventh line, strike out the words "the next annual election," and insert "the next annual election to be holden in the year 1860."

In section 3, strike out all of lines five and six, and insert "until after the expiration of the present term for which he was elected."

Your committee recommend that the bill pass as amended.

J. D. BILES,

Chairman.

Mr. Goddard, chairman of committee on Counties, submitted the following report :

MR. SPEAKER :—Your committee on Counties, to whom was referred various papers in relation to the boundary line between the Counties of Thurston, Sawamish and Chehalis, have had the same under consideration, and inasmuch as a majority of your committee cannot agree, we, the undersigned, beg leave to report the same back to the House with the accompanying bill, and recommend its passage.

J. H. GODDARD,

Chairman.

C. C. LEWIS.

Mr. Caples submitted the following report:

MR. SPEAKER:—The joint committee on Enrolled Bills, to whom was referred C. B. No. 23, an act to amend an act entitled an act regulating divorces, have had the same under consideration, and find that the very limited powers with which your committee are vested, and the limited time at their disposal, forbid their giving said bill the attention that its importance demands.

Your committee, therefore, recommend that the bill be referred to a select committee of five, with powers to send for persons and papers.

H. L. CAPLES.

Mr. Howe reported back H. B. No. 58, for the further action of the House.

The Speaker announced the receipt of a communication from Gov. Mason, relative to the better security of Territorial papers, which was read.

Mr. Howe moved it be referred to committee on Claims.

Mr. Henness moved to amend by referring to committee on Ways and Means.

Carried.

H. B. No. 59, an act to amend an act to create and establish the office of County Surveyor,

Read second time, and

On motion of Mr. Chapman,

Was referred to a select committee.

The Speaker appointed Messrs. Chapman, Shead and Goddard said committee.

C. B. No. 24, act in relation to Prosecuting Attorneys, was taken from the table, with the report of the committee thereon.

Mr. Caples moved that the report of the committee be adopted.

Mr. Tennant moved to indefinitely postpone.

Carried.

H. B. No. 58, an act supplemental to an act entitled an act to increase County revenue, was taken from the table, with the report of the committee thereon.

On motion of Mr. Caples,

The several licenses were increased.

Mr. Caples moved that the bill be considered engrossed, and that it be read third time now.

Carried.

Upon the final passage of the bill the yeas and nays were demanded, which resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Daniel, Judson, Lewis, Mannen, Rutledge, Savage, Tennant, and Weed—11.

Those voting in the negative were—

Messrs. Catlin, Chapman, Oline, Goddard, Gove, Hawk, Howe, Henness, Longmyre, McCall, Purdy, Stiles, Shead, and Mr. Speaker—15.

So the bill was lost.

C. B. No. 23, an act to amend an act entitled an act regulating Divorces, was taken from the table, with the report of the committee thereon.

Mr. Tennant moved that the bill be considered engrossed, and read third time now.

Mr. Biles moved that it be referred to a select committee of one.

Lost.

Mr. Chapman moved an indefinite postponement of the bill.

Upon which motion, the yeas and nays were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Daniel, Howe, Judson, Mannen, Purdy, Stiles, Shead, Savage, Weed, and Mr. Speaker—14.

Those voting in the negative were—

Messrs. Catlin, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Rutledge, Sylvester, and Tennant—11.

So the bill was indefinitely postponed.

Mr. Savage asked leave to present H. B. No. 66, an act to incorporate Good Samaritan Division No. 6, Sons of Temperance.

Read first time.

Rules suspended and read second time.

On motion of Mr. Rutledge,

The bill was considered engrossed, read third time, passed and title agreed to.

H. B. No. 46, was taken from the table, with the Council amendments, and the Council amendments concurred in by the House.

H. J. R. No. 13, relative to the election of Governor and Judges by the people, reported back from the Council with amendments, and

On motion, the amendments were concurred in by the House.

C. B. No. 15, an act increasing the salary of Territorial Auditor,

Read first time.

C. B. No. 27, an act to incorporate the town of Olympia,

Read first time.

Rules suspended and read second time.

On motion, the rules were further suspended, read third time, passed and title agreed to.

C. B. No. 8, an act to authorize Stephen Bonser and Silas D. Maxon to establish a ferry across Columbia river,

Read first time.

On motion, the rules were suspended and read second time, and

On motion, was referred to a select committee, consisting of the members from the county of Clarke.

Message from the Council by their Clerk :

MR. SPEAKER :—The President of the Council has signed the following House Bills and Memorials, and they are herewith returned to the House in which they originated :

H. B. No. 5, an act to amend an act entitled, an act assigning the Judges of the District Court to their respective Districts.

Also, H. B. No. 7, an act to amend an act entitled an act to create the office of Wreck Master and defining his duties.

Also, H. B. No. 8, an act to locate a territorial road from Skookum Bay to the head of tide water on the Chehalis river.

Also, H. B. No. 10, an act to dissolve the bonds of matrimony existing between William H. Pullen and his wife, Maria B. Pullen.

Also, H. B. No. 13, an act to construe an act entitled an act to amend an act entitled an act respecting Executors, Administrators, and the distribution of real and personal estate.

Also, H. B. No. 19, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Also, H. B. No. 20, an act to amend an act entitled an act relating to County Assessors.

Also, H. B. No. 21, an act to change the time for holding the sessions of the County Commissioners' Court.

Also, H. B. No. 35, an act to locate the county seat of Clallam county.

Also, H. J. M. No. 8, praying for an additional appropriation to complete a military road from Fort Steilacoom to Fort Bellingham.

Also, H. J. M. No. 11, asking an appropriation for the construction of bridges on the Nisqually and DeShutes rivers.

Also, that the President of the Council has signed the following Council Bills and Memorials:

C. B. No. 2, an act appropriating money out of the Territorial Treasury to pay for the cleaning and repairing of the public arms.

Also, C. B. No. 4, an act to locate a territorial road from Monticello to the upper Cascades.

Also, C. B. No. 5, an act authorizing Edward L. Massey to establish a ferry on Snake river.

Also, C. B. No. 7, an act appointing officers for Walla Walla county.

Also, C. B. No. 9, an act appointing officers for Spokane county.

Also, C. B. No. 10, an act appointing officers for Skamania county.

Also, C. B. No. 11, an act relative to instructions by the court in the trial of civil actions.

Also, C. B. No. 12, an act declaring the road leading from Fort Simcoe to Fort Dalles a territorial road.

Also, C. M. No. 6, praying the establishment of a lighthouse at Sandy Point, on Admiralty Inlet.

On leave, Mr. Weed presented H. B. No. 67, an act to locate a territorial road from Oakland to Seabeck,

Read first time.

Rules suspended and read second time, and

On motion, the rules were further suspended, read third time, passed and title agreed to.

On motion, the House adjourned.

SATURDAY, JANUARY 29, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Catlin, Chapman, Cline, Goddard, Gove, Hawk, Howe, Henness, Judson, Longmyre, Mannen, McCall, Purdy, Rutledge, Stiles, Shead, Sylvester, Savage and Mr. Speaker.

Message from the Council by their Clerk

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of C. B. No. 19, an act to amend an act entitled an act to provide for the assessing and collection of county and Territorial revenue.

Also, the passage of H. B. No. 54, an act to amend an act to provide for the assessing and collecting county and Territorial revenue.

Also, that the Council have concurred in House amendment to C. B. No. 25, an act to incorporate an institution of learning and charitable purposes, in the county of Clarke.

Also, the passage of H. B. No. 56, an act to review and re-locate so much of the Territorial road leading from Cathlamet to the house of Sidney S. Ford, as lies between the house of John J. Elliot and the south end of the Boisfort prairie.

Also, the passage of H. B. No. 61, an act to incorporate Tumwater Division, No. 3, Sons of Temperance.

Also, the passage of H. B. No. 64, an act to incorporate Monticello Division, No. 1, Sons of Temperance.

Also, that the Council have indefinitely postponed H. B. No. 3, an act dissolving the bonds of matrimony existing between Jacob Hans and his wife, Caroline Hans.

Journal of yesterday read and approved.

Mr. Stiles submitted the following report:

MR. SPEAKER:—

The committee on Ways and Means, to whom was referred H. B. No. 63, an act for the relief of W. W. Armstrong, have had the same under consideration and have instructed me to report the same back to the House, without amendment, and recommend that it do pass.

C. C. STILES,

Chairman.

Mr. Chapman, chairman of select committee, submitted the following report:

MR. SPEAKER:—

The select committee to whom was referred H. B. No. 59, an act to amend an act entitled an act to create the office of county Surveyor, have had the same under consideration and have instructed me to report the same back, without amendment, and recommend that it do pass.

J. M. CHAPMAN,

Chairman.

Message from the Council by their Clerk :

MR. SPEAKER:—I am instructed by the Council to inform the House of the passage of H. B. No. 60, an act to incorporate Grand Mound Division No. 4, Sons of Temperance.

Mr. Caples, chairman of select committee, submitted the following report:

MR. SPEAKER:—

The select committee to whom was referred C. B. No. 8, relating to

the establishment of a ferry across the Columbia river, at or near the Dalles, have had the same under consideration and ask leave to report the same back, with amendments, and recommend that the bill, as amended, do pass.

H. L. CAPLES,
Chairman.

Mr. Biles, chairman of select committee, submitted the following report:

MR. SPEAKER:—

The select committee to whom was referred C. B. No. 21, an act to incorporate the Cascade Railroad Company, have had the same under consideration, and have instructed me to report the same back with amendment, and recommend that the bill do pass as amended.

The following is the amendment:

Lines 15 and 16, in section 1st, so as to read:—Said road of thirty feet in width.

J. D. BILES,
Chairman.

On leave,

Mr. Stiles presented H. B. No. 68, an act to amend an act entitled an act to apportion the representation in the Legislative Assembly of Washington Territory, passed Jan. 30, 1858.

Read first time and ordered to second reading.

Second reading of bills.

H. B. No. 62, an act for the relief of counties in debt.

Read a second time.

C. B. No. 15, an act increasing the salary of the Territorial Auditor,

Read a second time.

On motion of Mr. Henness,

H. B. No. 65, an act defining the boundary line between Thurston and Sawamish counties, was taken from the table.

On leave being granted,

Mr. Weed presented the following report, relative to said bill:

MR. SPEAKER:—

The undersigned, members of the committee on Counties, to whom was referred the petition and other papers relating to the western and northern boundaries of Thurston county, would most respectfully beg leave, that inasmuch as the undersigned entertain a different opinion with regard to the adjustment of said county line, to submit the following report:

That in view of the large population residing in Thurston county, we doubt the practicability of enlarging its county limits at the expense of the weak counties who are illy able, even now, to keep up their county organizations and bear their county expenses; and we think that to reduce those weak counties would only add to their embarrassment. Therefore, in view of these circumstances, and the belief that Thurston county would not be lastingly benefited by such addition, we beg leave to recommend that all further action on this line be indefinitely postponed.

W. T. WEED,

H. JUDSON.

Mr. Henness moved that the rules be suspended, and that H. B. No. 65 be read a second time now.

Motion carried.

Bill read a second time, when

Mr. Carter offered the following amendments:

Define the west and north boundaries of the county of Thurston as follows:

Beginning at the meander post on the north side of Chehalis river, on the line between Sec. 10 and 11, Township 15 North, Range 4 West, thence North to the North boundary of Township 18 North, Range 4 West.

Amendment lost.

On motion of Mr. Briscoe,

The bill was indefinitely postponed.

H. B. No. 63, an act for the relief of W. W. Armstrong, was taken from the table, with the report of the committee thereon.

Report of committee adopted.

Mr. Briscoe moved that the rules be suspended and the bill be read a third time now.

Mr. Rutledge moved an indefinite postponement of the bill.

Upon which motion the yeas and nays were demanded, and resulted as follows:

Those voting in the affirmative, were—

Messrs. Catlin, Hawk, Henness, Longmyre, Rutledge, Shead and Tennant.—7.

Those voting in the negative, were—

Messrs. Biles, Briscoe, Caples, Chapman, Cline, Daniel, Goddard, Gove, Howe, Judson, Lewis, Mannen, McCall, Purdy, Stiles, Sylvester, Savage, Weed and Mr. Speaker—19.

So the motion to indefinitely postpone was lost.

Mr. Chapman moved that the rules be suspended and that the bill be read a third time now.

Motion carried.

Bill read a third time.

Upon the final passage of the bill, the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative were—

Messrs. Biles, Briscoe, Caples, Chapman, Cline, Daniel, Goddard, Gove, Howe, Judson, Lewis, Mannen, McCall, Purdy, Stiles, Sylvester, Shead, Savage, Weed and Mr. Speaker—20.

Those voting in the negative were—

Messrs. Catlin, Hawk, Henness, Longmyre, Rutledge and Tennant—6.

So the bill passed and title agreed to.

On leave being granted,

Mr. Tennant presented H. B. No. 69, an act to correct and construe an act entitled an act to alter the boundary line of Whatcom county.

Read a first time, and

On motion of Mr. Tennant,

Rules were suspended and bill read a second time.

On motion of Mr. Chapman,

The rules were further suspended and bill read a third time and passed, and title agreed to.

On leave being granted,

Mr. Carter presented H. B. No. 70, an act to establish a ferry across the mouth of Grey's Harbor.

Read a first time.

H. B. No. 59, an act to amend an act entitled an act to create the office of County Surveyor, was taken from the table, with the report of the committee thereon.

Report of the committee adopted.

Mr. Chapman moved to amend by inserting after the word "owning"—or claiming.

Motion carried.

Mr. Rutledge moved to amend in 6th line, by inserting after the word "owning"—or claiming.

Motion carried.

Mr. Shead moved to amend by inserting after the word "citizen"—owning or claiming land on either side of said line.

Motion carried.

On motion, the rules were suspended and the bill read a third time and passed and title agreed to.

Mr. Henness moved a reconsideration of the vote whereby C. B. No. 24 was indefinitely postponed.

Upon which motion the yeas and nays were demanded and resulted as follows:

Those voting in the affirmative, were—

Messrs. Catlin, Goddard, Gove, Hawk, Henness, Longmyre, Lewis, McCall, Rutledge, Sylvester, Shead and Tennant—12.

Those voting in the negative, were—

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Howe, Judson, Mannen, Purdy, Stiles, Savage, Weed and Mr. Speaker—15.

So the motion to reconsider was lost.

On leave being granted,

Mr. Hawk presented H. B. No. 71, an act to enable trustees to receive and hold lands and donations and convey the same for the use of schools and churches.

Read a first time.

C. B. No. 21, an act to incorporate the Cascade Railroad Company, was taken from the table, with the report of the committee thereon.

Report of committee adopted, and

On motion of Mr. Caples,

The bill was considered engrossed and read a third time and passed, and title agreed to.

Mr. Caples moved that when this House adjourns, it adjourn to meet at 2 o'clock this afternoon.

Motion lost.

On motion of Mr. Tennant,

The House adjourned.

MONDAY, JANUARY 31, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names:

Messrs. Biles, Briscoe, Catlin, Chapman, Goddard, Gove, Henness, Judson, Longmire, McCall, Purdy, Rutledge, Smith, Sylvester, Savage, Tennant, and Mr. Speaker.

Journal of Saturday read and approved.

The committee on Counties reported petitions, &c., which had been referred to them, relative to the boundary lines of Jefferson and Clallam counties, by bill.

Message from the Council:

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage of C. B. No. 32, an act appointing prosecuting attorneys for first and third judicial districts.

H. B. No. 71, an act to enable trustees to receive and hold lands and donations, and convey the same for the use of schools, churches, &c., read second time.

Mr. Calin moved to amend by striking out all of section 8, to the word "any" in the sixth line, and the word "other" in said line, after the word "any."

Carried.

On motion of Mr. Biles,

Rules were suspended, bill read third time, passed, and title agreed to.

H. B. No. 70, an act to establish a ferry across the mouth of Grey's Harbor, read second time and referred to committee on Judiciary.

H. B. No. 68, an act to amend an act to apportion the representation in the Legislative Assembly of Washington Territory, passed January 30th, 1858, was read second time.

Mr. Henness moved to amend by striking out the word "two," after

"Kitsap," and insert "one;" also, after the word "Whateom," strike out "one" and insert "two."

A call of the House was had.

Absent—Messrs. Daniel, Howe and Lewis.

The sergeant-at-arms was instructed to bring in absent members.

Message from the Council:

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of C. B. No. 31, an act to provide for the appointment of a board of commissioners to prepare, revise and compile a code of laws for Washington Territory.

Also, the introduction of C. B. No. 32, an act appointing prosecuting attorneys for the first and third judicial districts.

Also, the passage of H. B. No. 40, an act defining the boundary line of Pierce county.

Also, that the Council have indefinitely postponed H. B. No. 52, an act to dissolve the bonds of matrimony existing between Stillman Hendrick and his wife Sarah A. Hendrick.

Also, the passage of H. B. No. 66, an act to incorporate Good Samaritan Division No. 6, Sons of Temperance.

Also, the passage of H. B. No. 67, an act to establish and locate a territorial road from Oakland, in Sawamish county, via Sherwood's mills, to Seabeck, on Hood's Canal.

Also, the introduction and passage of C. B. No. 33, an act appropriating money to provide for the safe keeping of papers connected with the late Indian war in this territory.

Also, the passage of H. B. No. 37, an act to amend an act entitled "an act to provide for the appointment of a librarian and defining his duties," with amendments.

On motion of Mr. Biles,

A further call of the House was dispensed with.

On motion of Mr. Stiles,

H. B. No. 68 was laid upon the table.

Mr. Biles moved that when this house adjourns it adjourn to meet at 2 o'clock this afternoon.

Carried.

Report of the committee on counties was taken from the table.

The report adopted and laid upon the table with bill.

On motion of Mr. Henness,

Mr. Lewis was excused from further attendance.

C. B. No. 8, an act authorizing I. H. Bush to establish a ferry across Columbia river, was taken from the table with the report of the committee thereon.

Report adopted; and,

On motion of Mr. Biles,

Was considered engrossed, read third time, passed, and title agreed to.

H. B. No. 62, an act for the relief of counties in debt, was taken from the table; and,

On motion of Mr. Briscoe,

Was considered engrossed, read third time, passed, and title agreed to.

C. B. No. 15, an act to increase the salary of Territorial Auditor, was taken from the table.

Mr. Biles moved to strike out "one hundred" and insert "fifty."

Lost.

On motion of Mr. Sylvester,

The House adjourned.

AFTERNOON SESSION.

C. B. No. 15, an act to increase the salary of Territorial Auditor, was taken from the table.

Mr. Tennant moved that the bill be considered engrossed and read a third time now.

Mr. Biles moved to amend by striking out "100" and insert "75."

Carried.

Mr. Chapman moved an indefinite postponement of the bill.

Upon which the ayes and noes were demanded, resulting as follows:

AYES—Messrs. Biles, Caples, Chapman, Daniel, Judson, Mannen and Stiles—7.

NOES—Messrs. Catlin, Goddard, Gove, Hawk, Henness, Longmire, McCall, Purdy, Rutledge, Sylvester, Savage, Tennant, Weed, and Mr. Speaker—14

So the motion to indefinitely postpone was lost.

Mr. Tennant moved that now be assigned the time for the third reading of the bill.

Carried.

So the bill passed and the title was agreed to.

C. B. No. 19, an act to amend an act entitled "an act to provide for the assessing and collecting of county and territorial revenue, read first time.

C. B. No. 32, an act appointing prosecuting attorneys for the first and third judicial district, read first time.

Mr. Biles moved that further action on the bill be indefinitely postponed.

Upon which the ayes and noes were demanded, resulting as follows:

AYES—Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Judson, Mannen, Purdy Stiles, Savage, Weed, and Mr. Speaker—14.

NOES—Messrs. Catlin, Goddard, Gove, Hawk, Henness, Longmire, McCall, Rutledge, Sylvester, Shead and Tennant—11.

So the bill was indefinitely postponed.

C. B. No. 33, an act appropriating money to provide for the safe keeping of papers connected with the late Indian war in this territory, read first time.

H. B. No. 68, an act to amend an act entitled "an act apportioning the representation in the Legislative Assembly of Washington Territory, was taken from the table.

Mr. Henness renewed his former amendment, and demanded the ayes and noes, which resulted as follows:

AYES—Messrs. Briscoe, Gove, Hawk, Henness, Longmire, Rutledge, Sylvester, Shead and Tennant—9.

NOES—Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Judson, Mannen, McCall, Purdy, Stiles, Savage, Weed, and Mr. Speaker—10.

So the motion to amend was lost.

Mr. Biles moved an indefinite postponement of the bill.

Upon which the ayes and noes were demanded, resulting as follows:

AYES—Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Goddard, Purdy, Sylvester, Weed, and Mr. Speaker—13.

NOES—Messrs. Catlin, Gove, Hawk, Henness, Judson, Longmire, McCall, Rutledge, Stiles, Shead, Savage and Tennant—12.

So the bill was indefinitely postponed.

Message from the Council by their clerk—

MR. SPEAKER:—

I am instructed by the Council to inform the House of the passage of C. B. No. 31, an act to provide for the appointment of a board of commissioners to prepare, revise and compile a code of laws for Wasington Territory.

Also, the passage of H. B. No. 69, an act to correct and construe an act entitled "an act to alter the boundary line of Whatcom county."

Also, that the Council have indefinitely postponed H. J. R. No. 8 relative to mails on Puget Sound.

Also, that the Council have concurred in House amendment to C. B. No. 21, an act to incorporate the Cascade Railroad Company.

On motion the House adjourned.

TUESDAY, FEBRUARY 1, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names:

Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Henness, Judson, Longmyre, Mannen, McCall, Purdy, Stiles, Savage, Tennant, and Mr. Speaker.

Journal of yesterday read and approved.

Mr. Caples in the chair.

H. B. No 72, an act to repeal an act establishing the western boundary of Jefferson county,

Was read a second time, and

On motion of Mr. Dyer,

Was referred to a select committee of three.

The chair appointed Messrs. Dyer, Briscoe and Cline said committee.

C. B. No. 33, an act providing for the safe keeping of the papers growing out of the late Indian war in this territory.

Read second time.

Mr. Stiles moved to amend by striking out the word "Quarter-Master," and inserting the name of "R. M. Walker."

Lost.

Mr. Tennant moved that the rules be suspended and the bill be read a third time now.

Carried.

So the bill was read third time, passed, and title agreed to.

Mr. Speaker in the chair.

C. B. No. 19, an act to amend an act entitled an act to provide for the assessing of county and territorial revenue,

Was read a second time, and

On motion of Mr. Catlin,

The rules were suspended, bill read third time, passed, and its title agreed to.

C. B. No. 31, an act to provide for the appointment of a board of commissioners to prepare, revise, and compile a code of laws for Washington Territory.

Read first time.

On leave, Mr. Biles submitted the following resolution:

Resolved, by the House of Representatives of Washington Territory, That we return our sincere thanks to the Speaker of this House, for his able, efficient, and cordial manner in which he has discharged his duties as presiding officer over this body.

Also, to the Clerks, Sergeant-at-Arms, and Door-Keeper, of this House; to them we return our thanks for the efficient and cordial manner in which they have discharged their respective duties.

Resolution unanimously adopted.

Whereupon the Speaker returned his sincere thanks for the courtesy and kindness extended to him during the time he had presided over the deliberations of this House; that he had endeavored to discharge with justice and impartiality the duties of the chair, and if at any time he had failed so to do, the House had his sincerest regrets; for with their indulgence he had succeeded to his most sanguine expectations.

On motion, Messrs. Biles, Stiles, Caples, Goddard, Hawk, Purdy, Carter and Mannen, were severally excused from further attendance upon the House after to-day during this session.

On motion of Mr. Rutledge,

C. B. No. 30, an act to incorporate Grand Mound Division No. 4, Sons of Temperance, was taken from the table and indefinitely postponed; it being similar to a bill passed by both Houses relative to same.

Mr. Biles moved that when the House adjourns it adjourns to meet at 2 o'clock, P. M., to-day.

Carried.

On motion, House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

On motion of Mr. Catlin,

The rules were suspended, and C. B. No. 31, an act to provide for the appointment of a board of commissioners to prepare, revise, and compile a code of laws for Washington Territory,

Was taken from the table and read a second time.

Mr. Stiles moved to amend by striking out the name of O. B. McFadden and insert the name of B. P. Anderson.

Upon which the ayes and noes were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Daniel, Henness, Judson, Longmyre, McCall, Purdy, Rutledge, Stiles, Savage, Tennant, Weed, and Mr. Speaker—15.

Those voting in the negative were—

Messrs. Goddard, Gove, Hawk, Sylvester, and Shead—5.

Amendment adopted.

Upon motion the rules were suspended, and bill read third time.

Upon the final passage of the bill the ayes and noes were demanded, resulting as follows:

Those voting in the affirmative were—

Messrs. Biles, Caples, Catlin, Chapman, Carter, Cline, Daniel, Goddard, Henness, Judson, Longmyre, McCall, Purdy, Rutledge, Stiles, Sylvester, Savage, Tennant, Weed, and Mr. Speaker—20.

Those voting in the negative were—

Messrs. Gove, Hawk, and Shead—3.

So the bill passed, and title agreed to.

Mr. Caples moved that Mr. Shaffer, the assistant clerk, be excused from further services.

On motion of Mr. Chapman,

The House resolved itself into committee of the whole upon the motion of Mr. Caples to excuse Mr. Shaffer.

After some time spent therein the committee rose, reported progress, and asked to be excused from further action thereon, and on motion the House was discharged from further action in committee of the whole.

Mr. Caples renewed his motion that Mr. Shaffer be excused from further services as assistant clerk this session.

Carried.

Mr. Carter, chairman of committee on enrolled bills on the part of the House, reported as follows:

The joint committee on enrolled bills on the part of the House, acting with a similar committee on the part of the Council, have instructed me to report the following bills as correctly enrolled:

Council Bill No. 26.

Council Bill No. 25.

Council Bill No. 27.

Council Joint Resolution No. 7.

Council Joint Resolution No. 8.

Council Bill No. 17.

Council Bill No. 3.

Council Bill No. 20.

House Bill No. 4.

House Bill No. 43.

House Bill No. 41.

House Joint Memorial No. 9.

House Joint Resolution No. 5.

House Bill No. 45.

House Bill No. 42.

House Bill No. 32.

House Bill No. 34.

House Joint Memorial No. 12.

House Bill No. 22.

House Bill No. 29.

House Joint Memorial No. 10.

House Joint Memorial No. 13.

House Bill No. 66.

House Joint Resolution No. 9.

House Bill No. 46.

House Bill No. 39.

House Bill No. 36.

House Bill No. 40.

House Bill No. 67.

C. M. CARTER,

Chairman.

On motion, the House adjourned.

WEDNESDAY, FEBRUARY 2, 1859.

House met pursuant to adjournment.

On the roll being called, the following members answered to their names :

Messrs. Biles, Caples, Chapman, Carter, Cline, Daniel, Gove, Hawk, Henness, Judson, Longmyre, Lewis, McCall, Purdy, Rutledge, Stiles, Sylvester, Shead, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Message from the Council by their clerk :

MR. SPEAKER :—I am instructed by the Council to inform the House that the Council have indefinitely postponed H. B. No. 63, an act for the relief of W. W. Armstrong.

Also, that the Council have indefinitely postponed H. B. No. 59, an act to amend an act entitled an act to create and establish the office of County Surveyor.

Also, that the Council have concurred in House amendments to C. B. No. 8, an act authorizing Stephen Bonser and Silas D. Maxon to establish a ferry across the Columbia river.

Also, that the Council have concurred in House amendments to C. B. No. 15, an act increasing the salary of Territorial Auditor.

Also, the passage of H. B. No. 55, an act to protect certain Fisheries in Washington Territory, with amendments.

Also, the passage of H. B. No. 44, an act to establish a common school system for the Territory of Washington, with amendments.

H. B. No. 55, an act to protect certain Fisheries in Washington Territory, was taken from the table, and

On motion, the Council amendments were concurred in by the House.

H. B. No. 44, an act to establish a common school law in Washington Territory, was taken from the table, and read as amended by the Council, and

On motion of Mr. Briscoe,

Was laid upon the table for the consideration of the Code Commissioners.

Mr. Carter moved that the House do now adjourn.

Mr. Tennant moved to amend that when this House adjourn it adjourn to meet at 3 o'clock P. M.

Amendment adopted.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

On leave, Mr. Tennant presented the following resolution :

Resolved, By the House, the Council concurring, that a committee of three on the part of the House, to act with a committee of two on the part of the Council, be appointed to wait upon the Governor and ascertain if he has any further communication to make to the Legislative Assembly.

Read first time.

Rules suspended and read second time.

Rules further suspended, read third time and passed.

Mr. Carter, chairman of committee on Enrolled Bills on the part of the House, submitted the following report :

MR. SPEAKER :—The committee on Enrolled Bills on the part of the House, acting with a similar committee on the part of the Council, have instructed me to report the following bills as correctly enrolled :

H. B. No. 30, an act to authorize C. C. Vail to establish a ferry across the Lummi or Nootsack river.

Also, H. B. No. 61, an act to incorporate Tumwater Division No. 3, Sons of Temperance.

Also, H. B. No. 69, an act to correct and construe an act entitled an act to alter the boundary line of Whatcom county.

Also, H. B. No. 64, an act to incorporate Monticello Division No. 1, Sons of Temperance.

Also, H. B. No. 60, an act to incorporate Grand Mound Division, No. 4, Sons of Temperance.

Also, H. B. No. 54, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Also, C. B. No. 15, an act increasing the salary of Territorial Auditor.

Also, C. B. No. 33, an act appropriating money to provide for the safe keeping of papers connected with the late Indian war in this Territory.

Also, H. J. R. No. 6, relative to the election of Territorial officers.

Also, C. B. No. 19, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Also, C. B. No. 21, an act to incorporate the Cascade Railroad Company.

C. B. No. 8, an act authorizing I. H. Bush to establish a ferry across the Columbia river.

Also, H. B. No. 55, an act to protect certain Fisheries in Washington Territory.

Also, Joint Resolution relative to the appointment of a joint committee to examine the report of B. P. Anderson, one of the code commissioners.

Also, Joint Resolution relative to the appointment of a joint committee to wait upon the Governor.

C. M. CARTER,
Chairman.

The Speaker gave notice that he was about to sign the following bills, memorials and resolutions :

H. B. No. 30, an act to authorize C. C. Vail to establish a ferry across the Lummi river.

Also, H. B. No. 61, an act to incorporate Tumwater Division No. 3, Sons of Temperance.

Also, H. B. No. 69, an act to correct and construe an act entitled an act to alter the boundary line of Whatcom county.

Also, H. B. No. 64, an act to incorporate Monticello Division No. 1, Sons of Temperance.

Also, H. B. No. 60, an act to incorporate Grand Meand Division No. 4, Sons of Temperance.

Also, H. B. No. 54, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Also, C. B. No. 15, an act increasing the salary of Territorial Auditor.

Also, C. B. No. 33, an act appropriating money to provide for the safe keeping of papers connected with the late Indian war in this Territory.

Also, H. J. R. No. 6, relative to the election of Territorial officers.

Also, C. B. No. 19, an act to amend an act entitled an act to provide for the assessing and collecting of County and Territorial revenue.

Also, C. B. No. 21 an act to incorporate the Cascade Railroad Company.

Also, C. B. No. 8, an act authorizing I. H. Bush to establish a ferry across the Columbia river.

Also, H. B. No. 55, an act to protect certain Fisheries in Washington Territory.

Also, Joint Resolution relative to the appointment of a joint committee to examine the report of B. P. Anderson, one of the code commissioners.

Also, Joint Resolution relative to the appointment of a joint committee to wait on the Governor.

Mr. Briscoe moved that when this House adjourn it adjourn to meet at 9 o'clock, A. M., to-morrow.

Carried.

On motion, the House adjourned.

THURSDAY, FEBRUARY 3, 1859.

House met pursuant to adjournment.

On the roll being called the following members answered to their names:

Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Goddard, Gove, Hawk, Henness, Longmire, Lewis, McCall, Purdy, Rutledge, Stiles, Sylvester, Savage, Tennant, Weed, and Mr. Speaker.

Journal of yesterday read and approved.

Message from the Council—

MR. SPEAKER:—

The President of the Council has signed the following bills, memorials and resolutions, and they are herewith returned to the House in which they originated:

An act relative to the construction of roads and highways, and defining the duties of superisors of highways.

Also, an act to prevent stud-horses, jack-asses and ridglings from running at large.

Also, an act to locate and establish a territorial road from Oakland, in Sawamish county, via. Sherwood's mills, to Seabeck, on Hood's Canal.

Also, an act to incorporate Good Samaratine Division No. 6, Sons of Temperance.

Also, an act defining the boundary line of Pierce county.

Also, an act to repeal an act to confer civil and criminal Jurisdiction on judges of probate.

Also, an act to amend an act amendatory to an act relative to marriages.

Also, an act authorizing county auditors to take acknowledgments.

Also, an act declaring all military roads to be territorial roads in the Territory of Washington.

Also, an act to amend an act entitled "an act to provide for the assessing and collecting of county and territorial revenue."

Also, an act to incorporate Olympia Division No. 2, Sons of Temperance.

Also, an act to locate a territorial road from Olympia to Steilacoom.

Also, an act to locate a territorial road from a point on Hood's Canal, at or near A. D. Fisher's claim, to the head of tide-water on Chehalis river.

Also, an act to incorporate the Cowlitz Steam Navigation Company.

Also, an act to locate and establish a territorial road from the Yelm Prairie, in Thurston county, to a point on the Natchess river where the military road leaves the same.

Also, memorial praying for an increase of pay for surveying the public lands.

Also, memorial relative to the establishment of a military road from Seattle, on Puget Sound, via Snoqualmie Pass, to Fort Colville.

Also, memorial relative to electing governors and judges by the people.

Also, memorial relative to the free navigation and improvements of Duwamish and White rivers.

Also, joint resolution relative to the employment of an enrolling clerk.

Also, joint resolution praying to be better secured from fire in the land office of Washington Territory.

Also, that the President has signed the following bills and resolutions that have originated in the Council.

C. B. No. 3, an act in relation to minors and persons of unsound mind.

Also, C. B. No. 17, an act conferring jurisdiction on the district court of the county of Pierce.

Also, C. B. No. 20, an act to incorporate the Olympia Bridge Company.

Also, C. B. No. 25, an act to incorporate an institution of learning and charitable purposes in the county of Clarke.

Also, C. B. No. 26, an act to incorporate Washington Division No. 5, Sons of Temperance.

Also, C. B. No. 27, an act to incorporate the town of Olympia.

Also, that the Council have refused to concur in House amendment to C. B. No. 31, an act to provide for the appointment of a board of commissioners to prepare, revise and compile a code of laws for Washington Territory.

Also, joint resolution relative to the appointment of a joint committee to inquire into the condition of the territorial library.

Also, joint resolution relative to the introduction of new business.

The committee on enrolled bills made the following report:

The joint committee on enrolled bills acting with a similar committee on the part of the Council, have instructed me to report the following bills as correctly enrolled:

H. B. No. 37, an act to amend an act entitled "an act to provide for the appointment of a librarian and defining his duties.

Also, H. J. R. No. 4.

Also, joint resolution.

Also, H. B. No. 56, an act to review and re-locate so much of the territorial road leading from Cathlamet to the house of Sidney S. Ford, as lies between the house of John J. Elliot and the south end of Bois-Fort Prairie.

Also, H. B. No. 62, an act for the relief of counties in debt.

The Speaker gave notice that he would then sign the foregoing bills.

C. B. No. 31, relative to a code commission, was taken from the table.

Mr. Catlin moved that the House recede from their amendment.

Upon which the ayes and noes were demanded, resulting as follows:

AYES—Messrs. Catlin, Goddard, Gove, Hawk, Henness, Longmire, McCall, Rutledge, Sylvester, Shead, Tennant, and Mr. Speaker—12.

NOES—Messrs. Biles, Briscoe, Caples, Chapman, Carter, Cline, Daniel, Judson, Mannen, Purdy, Stiles, Savage and Weed—13.

So the House refused to recede from their amendments.

Message from the Council by their clerk—

MR. SPEAKER:—

I am instructed by the Council to inform the House of the passage of H. B. No. 62, an act for the relief of counties in debt, with amendments.

Mr. Caples moved that H. B. No. 62 be taken from the table and that the House concur in Council amendments.

Carried.

Message from the Council by their clerk—

MR. SPEAKER:—

I am instructed by the Council to inform the House of the passage of H. J. R. No. 10, and that the Council have appointed Messrs. Fales and Woodard said committee on part of Council.

The Speaker appointed on the part of the House Messrs. Briscoe, Gove and Cline said committee.

Mr. Briscoe, chairman of joint committee on part of the House, reported that the committee had performed their duty, and that acting Governor Mason had no communication to make.

Message from the Council by their clerk—

MR. SPEAKER:—

The President has signed the following bills and resolutions that have originated in the House, and herewith return them to the House:

H. B. No. 62, an act for the relief of counties in debt.

Also, joint resolution relative to adjournment.

Also, H. B. No. 56, an act to review and re-locate so much of the territorial road as lies between the House of John J. Elliott and the south end of Bois Fort Prairie.

Also, joint resolution relative to the election of territorial officers.

Also, H. B. No. 37, an act to amend an act entitled "an act to provide for the appointment of a librarian and define his duties."

Also, H. B. No. 55, an act to protect certain fisheries in Washington Territory.

Also, H. B. No. 54, an act to amend an act entitled "an act to provide for the assessing and collecting of county and territorial revenue."

Also, H. B. No. 69, an act to correct and construe an act to alter the boundary line of Whatcom county.

Also, H. B. No. 60, an act to incorporate Grand Mound Division No. 4, Sons of Temperance.

Also, H. B. No. 64, an act to incorporate Monticello Division No. 1, Sons of Temperance.

Also, H. B. No. 61, an act to incorporate Tum Water Division No. 3, Sons of Temperance.

Also, H. B. No. 30, an act to authorize C. C. Vail to establish a ferry across Lummi or Noot-Sack river.

Also, that the President has signed the following Council bills and resolutions:

C. B. No. 8, an act authorizing I. H. Bush to establish a ferry across Columbia river.

Also, C. B. No. 15, an act to increase the salary of territorial auditor.

Also, C. B. No. 21, an act to incorporate Cascade Railroad Company.

Also, C. B. No. 19, an act to amend an act entitled "an act to provide for assessing and collecting county and territorial revenue."

Also, C. B. No. 33, an act appropriating money to provide for the safe keeping of the papers connected with the late Indian war.

Also, joint resolution relative to the appointment of a committee to examine the report of B. P. Anderson, one of the code commissioners.

Also, joint resolution relative to the appointment of a committee to wait on the acting Governor.

On motion of Mr. Caples,

The clerk was instructed to inform the Council that the House had finished all business and were then ready to adjourn *sine die*.

Message from the Council by their clerk—

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council are now ready to adjourn *sine die*.

Mr. Caples, moved that the House do now adjourn *sine die*.

Carried.

Whereupon the Speaker declared the sixth Legislative Assembly of the Territory of Washington adjourned *sine die*.

I certify the foregoing journal to be a correct record as approved by the House of Representatives.

E. D. DURGIN,

Chief Clerk.